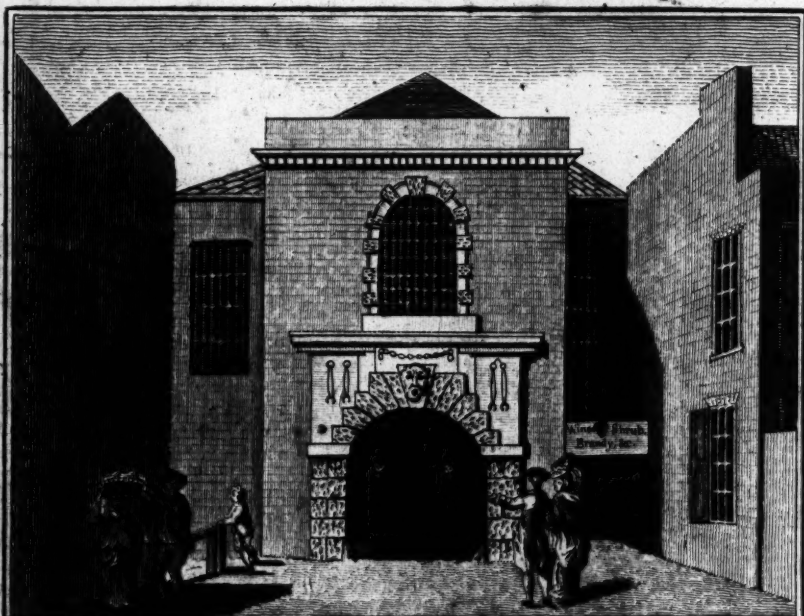
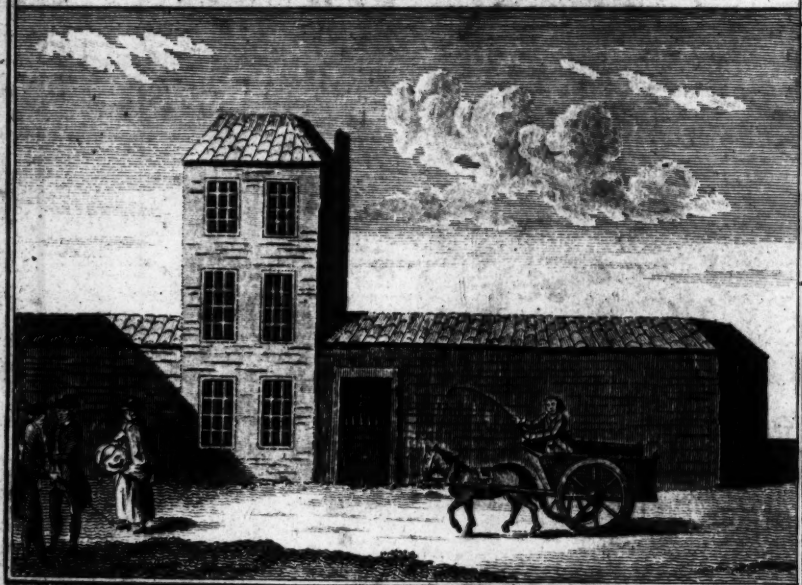




View of the **NEW PRISON, Clerkenwell.**

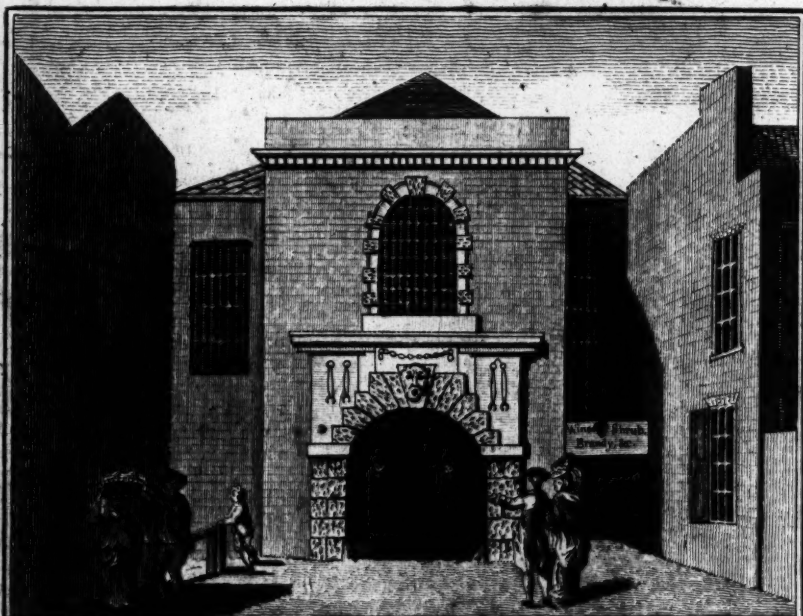


Small Adm. **Representation of TOTHILFIELDS-BRIDEWELL Westminster.** *J. G. J. J. J.*

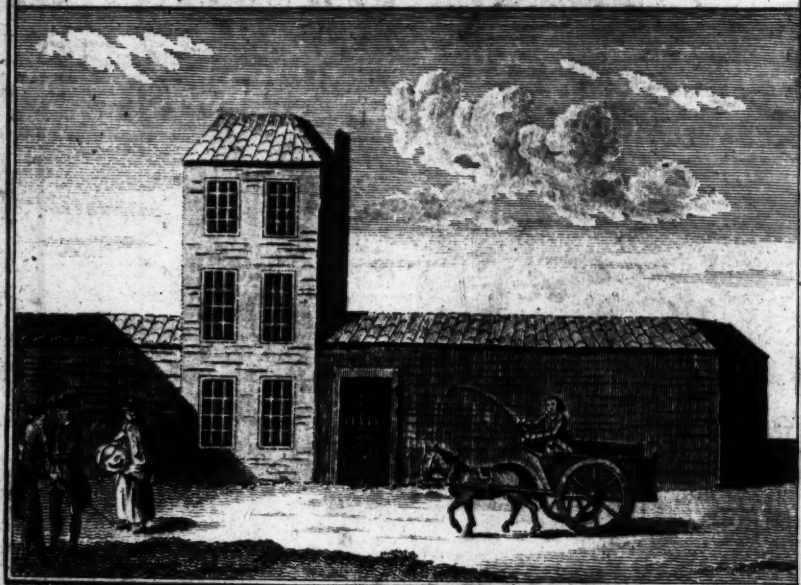
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View of the **NEW PRISON, Clerkenwell.**



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THE
NEW AND COMPLETE
Newgate Calendar ;
OR,
VILLANY DISPLAYED
IN ALL ITS BRANCHES.

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S U P P L E M E N T.

In Order to maintain the distinguished Reputation of THE NEW NEWGATE AND TYBURN CALENDAR, (which has been rendered in the Course of the Publication far superior to any Old Work of the Kind) the EDITOR has presented the Public with the following Particulars, and intends in future to continue this useful and entertaining Work, by adding the most remarkable Trials as they occur, together with a genuine Account of each notorious Offender.

An authentic Account of the Reverend Mr. JAMES HACKMAN, who suffered at Tyburn for the Murder of Miss REAY.

IT was a just observation of Solomon, "that there is nothing new under the sun;" and yet there are some events of so sudden, so striking a nature, that when they happen in our own time, and within the compass of our observation, they affect us more than when we read of them in ancient authors; such is the case before us, and an affecting one it is.

Mr. James Hackman was born at Gosport in Hampshire, and originally designed for trade; but he was too volatile in disposition to submit to the drudgery of the shop or counting-house. His parents, willing to promote his interest as far as lay in their power, purchased him an ensign's commission in the sixty-eighth regiment of foot. He had not been long in the army when he was sent to command a recruiting party, and being at
c Huntingdon,

Huntingdon, he was frequently invited to dine with a noble Earl, well known in the political world. Here it was that he first became acquainted with Miss Reay, who lived under the protection of that nobleman.

This Lady was the daughter of a stay-maker in Covent-Garden, and served her apprenticeship to a mantua-maker in George's-Court, St. John's-Lane, Clerkenwell. She was bound when only thirteen, and in 1760, when she was eighteen, her apprenticeship being expired; she was discharged with a fair character. She was soon after taken notice of by the nobleman above-mentioned, who took her under his protection, and treated her with every mark of tenderness. No sooner had Mr. Hackman seen her than he became enamoured of her, and finding he could not obtain preferment in the army, he turned his thoughts to the church, and entered into orders. Soon after he entered into orders, he obtained the living of Wiverton in Norfolk, which was only about Christmas preceding the shocking deed which cost him his life, so that it may be said he never enjoyed it.

It is probable that Mr. Hackman imagined that there was a mutual passion, that Miss Reay had the same regard for him as he had for her. Love and madness are often little better than synonymous terms, for had Mr. Hackman not been blinded by a bewitching passion, he could never have imagined that Miss Reay would have left the family of a noble Lord at the head of one of the highest departments of the state, in order to live in an humble station. Those who have been long accustomed to affluence, and even profusion, seldom chuse to lower their flags. However, he was still tormented by this unhappy, irregular, and ungovernable passion, which in an unhappy moment

moment led him to commit the crime for which he suffered.

Miss Reay was extremely fond of musick, and as her noble protector was in an high rank, we need not be surprized to find that frequent concerts were performed both in London and at Hinchinbrook; at the latter place Mr. Hackman was generally of the party, and his attention to her at those times was very great. How long he had been in London previous to this affair is not certainly known, but at that time he lodged in Duke's-Court, St. Martin's-Lane. On the morning of the 7th of April, 1779, he sat some time in his closet, reading Dr. Blair's sermons; but in the evening he took a walk to the Admiralty, where he saw Miss Reay go into the coach along with Signiora Galli, who attended her. The coach drove to Covent-Garden theatre, where she staid too see *Love in a Village* acted. Mr. Hackman went into the theatre at the same time, but not being able to contain the violence of his passion, he went home to his lodgings, and having loaded two pistols returned to the play-house, where he waited till the play was over: seeing Miss Reay ready to step into the coach, he took a pistol in each hand, one of which he discharged against her, which killed her on the spot, and the other at himself, which however did not take effect.

The moment she fell, Mr. M'Namara, a gentleman who was going to hand her into the coach, laid hold of her, thinking she had fallen into a fit by the report of the pistol; but he was soon convinced of his mistake when he found himself bloody, and so sick that he was not able to stay any longer than to see the body carried into the Shakespeare tavern, where it lay till the coroner's inquest was taken.

In the mean time Mr. Hackman's wounds were dressed, and he was committed by Sir John Fielding to Tothill-fields Bridewell, and then to Newgate, where a person was appointed to attend him, lest he should have laid violent hands on himself. In Newgate, as he knew he had no favour to expect, he prepared himself for the awful change he was about to make. He had dined with his sister on the day the murder was committed, and in the afternoon wrote a letter to her husband, Mr. Booth, an eminent attorney, acquainting him of his resolution of destroying himself, desiring him to sell what effects he should leave behind him to pay a small debt; but this letter was not sent, for it was found in his pocket.

His trial came on before Judge Blackstone, and he was found guilty upon the clearest evidence. In his defence he made use of the common plea of insanity, or at least of having no intention to murder Miss Reay, but that could avail him nothing, seeing he had two loaded pistols. He heard the dreadful sentence pronounced with more fortitude than could have been expected, and being conducted back to Newgate, behaved with a becoming decency under his unhappy circumstances. On the morning of his execution he got up a little after five, dressed himself, and spent some time in private meditation. About seven he was visited by Mr. Boswell, and some other friends, with whom he went to the chapel and received the sacrament. When he came out of the chapel and was haltered, he seemed to be much shocked, which is not much to be wondered at. The reverend Dr. Porter, and Mr. Villette, the Ordinary, went into the Coach along with him, accompanied by Mr. Brent, the sheriff's officer.

During

During the whole of the procession he seemed much affected, and said but little; and when he arrived at Tyburn and got out of the coach, and mounted the cart, he took leave of Dr. Porter and the Ordinary. After some time spent in prayer he was turned off, and having hung the usual time, his body was carried to Surgeons-Hall.

Such was the end of a young gentleman, who might have been an ornament to his country, the delight of his friends, and a comfort to his relations, had he not been led away by the influence of an unhappy passion.

He was executed on the 19th of April, 1779.

As the letter, intended for his brother-in-law, and his Defence, are of an interesting nature, and will serve to throw some light on the causes which produced his unhappy end, we shall present our readers with the following genuine copies.

L E T T E R.

“ My dear Frederick,

“ When this reaches you I shall be no more, but do not let my unhappy fate distress you too much: I have strove against it as long as possible, but it now overpowers me. You well know where my affections were placed; my having by some means or other lost her's (an idea which I could not support) has driven me to madness. The world will condemn me, but your good heart will pity me. God bless you my dear Fred. Would I had a sum to leave you, to convince you of my great regard: you was my only friend. I have hid one circumstance from you, which gives me great pain. I owe Mr. Knight, of Gosport, 100*l.* for which he has the writings of my houses;
but

but I hope in God, when they are fold, and all other matters collected, there will be nearly enough to settle our account. May Almighty God bless you and yours with comfort and happiness; and may you ever be a stranger to the pangs I now feel. May heaven protect my beloved woman, and forgive this act, which alone could relieve me from a world of misery I have long endured. Oh! if it should ever be in your power to do her an act of friendship, remember your faithful friend,

J. HACKMAN."

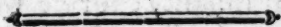
D E F E N C E.

I should not have troubled the court with the examination of witnesses to support the charge against me, had I not thought that the pleading guilty to the indictment gave an indication of contemning death, not suitable to my present condition, and was, in some measure, being accessory to a second peril of my life; and I likewise thought, that the justice of my country ought to be satisfied by suffering my offence to be proved, and the fact established by evidence.

I stand here this day the most wretched of human beings, and confess myself criminal in a high degree; yet while I acknowledge with shame and repentance, that my determination against my own life was formal and complete, I protest, with that regard to truth which becomes my situation, that the will to destroy her who was ever dearer to me than life, was never mine till a momentary phrensy overcame me, and induced me to commit the deed I now deplore. The letter, which I meant for my brother-in-law after my decease, will have its due weight as to this point with good men.

Before this dreadful act, I trust nothing will be found in the tenor of my life, which the common
charity

charity of mankind will not excuse. I have no wish to avoid the punishment which the laws of my country appoint for my crime; but being already too unhappy to feel a punishment in death, or a satisfaction in life, I submit myself with penitence and patience to the disposal and judgment of Almighty God, and to the consequences of this enquiry into my conduct and intention.



Account of THOMAS HILLIARD, who was tried for setting *Fire* to his House, and acquitted on a Point of Law.

THE case of this man being not only recent, but likewise singular, merits a place in this Work, although the person accused was not found guilty. Thomas Hilliard had been several years a Porter at the Royal Exchange Assurance Office, and likewise went on errands for Bankers, Merchants, and Tradesmen in that neighbourhood. He was Parish Clerk of St. Mildred in the Poultry, and the Rev. Mr. Bromley employed him to collect his Tithes for him—Had he not been considered as a man of integrity, he would never have been intrusted with an office upon which the support of a clergyman depended, and so far as it appears, he kept his accounts regular, without injuring any one. However, be that as it will, on March 16th 1779, while he lived in Bird-in-Hand Court, Cheapside, his house was discovered to be on fire, and he himself went to the watch-house and gave information of it to Mr. Washington, the constable of the night. Hilliard, who was himself a constable, at the same time, seemed much frightened, and begged that an engine might be sent for. Mr. Washington, and one Mr. Bagwell, went to view the premises, and found there

was

was much smoke on the stairs, but could not discover any fire. Upon further enquiry it was discovered that there was a pitch barrel in a closet, which had been set on fire, so that there arose some suspicion that it had been done by Hilliard himself; upon this he was apprehended, and carried before Alderman Hart at Guildhall, where in some respects he behaved like one subject to temporary fits of insanity; for he wanted to confess more than he was charged with. Every thing of this nature, whether real or imputed, raises an indignation in the minds of the people; and to enhance the guilt of the prisoner it was given out that he had a considerable sum of money in the funds, and that he had set fire to his house in order to defraud the Assurance Office.—All this, however, turned out to be false, for he was not worth a shilling, having spent what trifle he had by gambling in the lottery. All the circumstances alledged against him were proved on the trial; but here the glory and humanity of the English laws stood in his defence.—It is a maxim in law, that when the life of a man is at stake, every error, every trifling circumstance that seems to create a doubt, shall be construed in his favour.—This is not done to encourage guilt, but to preserve the persons of whose guilt there may be some doubt. Thus it was proved that the closet where the fire was discovered, did not make part of the dwelling-house, according to Stat. Hen. VIII. Cap. 1. Sect. 3. so that he was acquitted. From some circumstances that came out in the evidence, it would appear that this man laboured under some sort of religious melancholy; but from what motives he really acted must be left to unerring wisdom to determine.—As the law has acquitted, let the charge against him be forgotten. He was tried at the Old Bailey April 17th, 1779.

Account of JOSHUA CROMPTON, who was tried and executed for a Forgery on the BANK of ENGLAND.

ON Friday, July 31, 1778, his trial came on at Guildford, for the above-mentioned crime. There were two charges of Forgery laid in the indictment, viz. "For forging a 20l. bank note, dated May 5, 1773, No. 56, marked K. payable to Thomas Harris, Esq; or bearer, on demand, purporting to be a bank note, signed by the governor and co. of the Bank of England, and subscribed Thomas Grant." It was also stated as "a promissory note from the governor and co."

A great number of witnesses were examined on this occasion; after which, and the evidence being closed, the Jury found him guilty; in consequence of which, he was executed at Gangle-green, near Guildford, in the county of Surrey. After his arrival at the place of execution, he behaved steadily and penitent, acknowledging his crime, and owning his guilt, continually praying to God to forgive the person who artfully drew him over to England after he had made his escape from the New-Gaol in the Borough, and was the means of hanging him for ten guineas, after he had assisted him in his escape.

Thus this person fell a victim to an inordinate thirst for money, which instigated him to commit a crime extremely injurious to public credit and private property, and which could only be expiated by an ignominious death.

He was executed Aug. 20, 1778.

A brief Account of THOMAS BOULTER, the noted Highwayman.

THIS man had for a considerable time infested the western counties, where he had committed several daring robberies; but was at length apprehended near London, and committed to New Prison, Clerkenwell, from whence he found means to make his escape, and renew his depredations on the public. He committed several robberies in Hampshire, and was become the dread of that part of the kingdom; so that Sir John Fielding thought proper to send some of his men in pursuit of him, who took him, July the 4th, 1778, at the Greyhound inn, at Bridport, in Dorsetshire. He was afterwards tried and convicted at Winchester, and found guilty on two indictments. The audacity of this adventurer was so great, even after his above-mentioned escape from prison, 29

to prompt him to go low down into the west, where he was universally known, and rob many people; which gives room to reflect, that iniquitous practices, sooner or later, meet with the worst of wages; and villainy, though it may prove successful for a time, yet seldom fails to involve the perpetrators in certain ruin; for notwithstanding the judge, to the surprize of every person in court, recommended him to mercy.

He was executed at Winchester, Aug. 19, 1778.

An authentic Relation of JAMES MATHISON, who was tried at the Old Bailey, for a Forgery upon the Bank of England.

HE was tried on Thursday, the 30th of May, 1779. There, perhaps, never appeared in any court of justice so capital nor so ingenious a man in his style as this person. His practice for some time past had been to go to the Bank, and take out a note: this he counterfeited, passed the copy, and after some time returned the original. His frequent applications at length exciting suspicions, which were increased by his appearance in life, and other circumstances, he was taken up. When brought before Justice Fielding, he was there known to be the person charged with forgeries upon the bank at Darlington. The particular forgery now charged on him, was, for making and uttering a note for payment of 20l. with intent to defraud Mr. Mann of Coventry, and the Bank of England. The note was produced in court, and witnesses were brought to prove its having been negociated by him.

This fact being established, the next circumstance in consideration was, to prove that the note was absolutely a counterfeit one. This his prosecutors were totally unable to do, by any testimony they could adduce; so minutely and so dexterously had he feigned all the different marks. The note itself was not only so made as to render it altogether impossible for any human optic to perceive a difference, but the very hands of the cashier and the entering clerk were also so counterfeited, as entirely to preclude a positive discrimination, even by these men themselves. The water-mark too, namely, Bank of England, which the bankers have considered as an infallible criterion of fair notes, a mark which could not be resembled by any possible means, was also hit off by this man, so as to put it out of the power of the most exact observer to perceive a difference. Several paper-makers were of opinion that this mark must have been put on in the making of the paper;

paper; but Mathison declared that he put it on afterwards by a peculiar method, and known only to himself.—The extreme similitude of the fair and false notes had such an effect upon the Judge and Jury, that the prisoner would certainly have been discharged for want of evidence to prove the counterfeit, if his own information, taken at Fielding's, had not been produced against him; which immediately turned the scale, and he was found guilty.

He was executed at Tyburn, pursuant to his sentence, on July 28th, 1779. At the place of execution, he made a speech, which took up some minutes; wherein he acknowledged his guilt, and hoped for forgiveness from the Almighty. He also warned others to avoid the crime for which he suffered, and forgave his prosecutors.

Such was the fatal and untimely end of a man, who, if his talents had been laudably employed, might have proved an ornament and use to society; but which being abused to the base and illegal purposes of fraud and injustice, made him obnoxious to that severe punishment which the laws of his country affix to a crime so highly detrimental to the public and individuals. Which instance, with many others of a similar kind, prove the truth of the observation in scripture, that "a little which the righteous possesseth, is better than all the riches of the ungodly."

Some Particulars of JOHN SPENCER, who was executed at Nottingham, for the wilful Murder of William Yeadon, Toll-collector, and his Mother, at Scrooby Turnpike.

THE commission of this horrid crime being proved upon him, it will be sufficient to add, that he confessed, on the morning of his execution, that the two persons he had accused, as accomplices, were entirely innocent of the fact, and that he only committed the shocking murders for which he was going to suffer:—That he was at the turnpike early in the evening on which he committed the fact; went away from thence and wandered about the common till late, when he returned and knocked at the turnpike-house, pretending he had some beasts to go through; and as soon as William Yeadon opened the door, he knocked him down with a hedge-stake, and repeated his blows till he was nearly dead; he then went in, took his watch; went up stairs, where the mother was in bed and asleep, and with the same weapon killed her also.

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For this atrocious deed, detestable both to God and man, and which always cries to heaven for vengeance, he was

Executed at Scrooby turnpike, and hung in chains near the spot.

A Short Account of Miss ELIZ. WATKINS, for the Murder of her own Child.

SHE was charged with the murder of her natural child, and tried for the same at the sessions in the Old Bailey, September, 1779; but the evidence produced by the witnesses to prove the fact not being sufficiently strong to criminate her,

She was acquitted.

Account of JOHN BENFIELD, WILLIAM TURLEY, and MARY WILLIAMS, for Coining.

INDICTMENTS being found against these offenders, they were tried, Jan. 14, 1780, for feloniously and treasonably coining and counterfeiting the current silver of this realm, called shillings, sixpences, and half-crowns, at a house in White's-alley, Chancery-lane.—The two men pleaded innocence, pretending to have been decoyed into the house; and said, if they suffered, it would be as innocent persons. However, as there was no doubt that the sentence was just, they were all condemned; the two men to be hanged, and the woman to be burnt, after having been previously strangled.

As scarce any crime can be attended with greater inconvenience to the community in general, and many individuals of the lower class, than this; so none calls for a more exemplary punishment. Idleness and profligacy are the common forerunners of this and most other heinous crimes, which, if continued in, are sure to be followed, sooner or later, with destruction and shame; to both which, the want of moral honesty, and a disregard to salutary laws, expose multitudes of unthinking mortals, most of whom ascribe their ruin to one or both of the above causes, and an unhappy fondness for vice and vicious company.

John Benfield and William Turley were executed Jan. 12, 1780; but Mary Williams was reprieved, and pardoned.

Authentic

Authentic Account of ELIZABETH BUTCHILL, who murdered her Female Bastard Child.

THIS unfortunate young woman was a native of Saffron Walden in Essex, born of honest and industrious parents, and had lived for a considerable time with her aunt, who was a bed-maker belonging to Trinity college. Till the unhappy affair which brought her to so ignominious an end, she was generally esteemed for the decency and modesty of her conduct; and it is much to be lamented, that a mistaken fear of shame should have induced her to commit an action at which nature shudders, the destruction of her own offspring.

The following are the particulars of the shocking murder perpetrated by this malefactor, as they appeared on the coroner's inquest, and on the trial.

On Friday the 7th of January, 1780, about 11 in the morning, the body of a new-born female infant was found in the river near Trinity-college bogs; which was immediately taken out, and a coroner's jury summoned to sit on the body.

Mr. Bond, a surgeon, deposed, that he examined the body, when he found the head swelled and bruised, the skull fractured in several places; that on opening the body, the lungs appeared distended, and were on trial specifically lighter than water; and that he was of opinion the child was born alive, and received its death by the wounds in the head.

Esther Hall, the wife of William Hall, brewer to Trinity college, whose dwelling house was within the college gates, at no great distance from the place where the child was found, deposed, That her niece, Elizabeth Butchill, had lived about three years with her in the capacity of a bed-maker in the said college: that about three o'clock in the morning of the 6th inst. she heard her niece groan very much, and, getting up to enquire into the cause, found her complaining of a violent choliæ; that she heated some peppermint-water, &c. and gave to her, with some hot flannels, which seemed to give her ease: that, about six in the morning, the said Esther Hall went to college, leaving her niece in bed, where she found her on her return about ten o'clock.

William Hall, husband to the said witness, hearing a child had been found, suspected the said Eliz. Butchill, and sent for a surgeon to examine her. In her voluntary confession, taken before the mayor and Dr. Ewin, and read to the jury, she confessed that she was delivered of a female child on Thursday morning about half past six o'clock, by herself; that the child cried some little time after its birth; and that in about twenty minutes

minutes after, she herself threw the said infant down one of the holes of the necessary into the river, and buried the placenta, &c. in the dunghill near the house. Upon this evidence the jury brought in their verdict Wilful Murder, but did not charge the said Elizabeth Butchill as the mother; she was therefore committed to the castle on her own confession, as soon as she could be removed with safety.

On Wednesday morning she was tried before Judge Buller, when her voluntary confession being produced, and many corroborating circumstances appearing in evidence, the jury found her guilty, and the judge passed sentence on her in a very pathetic and affecting manner. When the unhappy culprit, in extreme agony, solicited mercy, his lordship told her, that as she had been deaf to the cries of the innocent, and, stifling the strong ties of maternal affection, had been the murderer of her child, it was impossible for mercy to be extended to her in this world; he therefore exhorted her to seek for a sincere repentance, and sentenced her to be executed the succeeding Friday, and her body to be anatomized.

From the time of her commitment she was in a bad state of health; but her behaviour was modest, patient, and penitent. A worthy clergyman visited her daily, and administered the sacrament to her, when she was perfectly resigned to her fate, and acknowledged the justice of her sentence. In the evening before her death, she took an affectionate leave of her friends, and passed the night tolerably composed, except at intervals, when she seemed to be deprived of her senses.

In the morning of the fatal day, the before-mentioned clergyman attended her to the place of execution, where her behaviour was firm, resigned, and exemplary. She joined with the minister in prayer, and sung the lamentation of a sinner, with marks of a sincere penitent, declaring she had made her peace with God, and was reconciled to her fate. Desiring her example might be a warning to all thoughtless young women, and calling on Jesus Christ for mercy, she was launched into eternity amidst thousands of commiserating spectators, who, though they abhorred the crime, shed tears of pity for the unhappy criminal.

She was a decent plain young woman, about 22 years of age, and, before this unfortunate affair, bore a good character for her modest behaviour.

The murder of infants born in bastardy has of late years become so general in this kingdom, as to be a disgrace to humanity. Many instances there doubtless are where this horrid crime has been committed without suspicion, and the murder

murder is known only to the perpetrator, and to the Almighty; and too frequently it happened, that where the crime has been discovered, from a deficiency in the evidence the criminal has escaped.

May the melancholy end of Elizabeth Butchill be an example, an awful example, to deter all mothers, in the like unfortunate circumstances, from being the secret murderers of their children; to teach unthinking females to be on their guard against the possible consequences of unlawful love; and, where they have been unfortunately deluded, not to add crime to crime, by suppressing the tender feelings of a mother, and, instead of the protector, become the murderer of the helpless innocent.—If her untimely end shall prevent a similar crime, or bring one hardened sinner to repentance, she will not have died in vain.

She was executed at Cambridge, March 17, 1780.

Account of JAMES BURNET, for Murder.

HE was one of those violators of the laws in being, who, contrary to the statute in that case made and provided, presume to destroy and take the game in different parts of the kingdom. Being detected in this unlawful practice by Thomas Hewitt, game-keeper to the Duke of Richmond, and ordered to deliver up his gun, he refused, and, on the duke's servant approaching to take it away, he shot him dead on the spot. This happened at Goodwood in Essex, in Dec. 1779. Burnet was then in company with one Dilloway, who not being concerned in the murder, escaped punishment. Burnet was tried for the wilful murder of the said person, Mar. 20, 1780; but some circumstances appearing in his favour, from the suddenness of the fact, he was found guilty of manslaughter, sentenced to be burnt in the hand, and imprisoned 12 months in Horsham gaol.

Though his punishment for this crying sin has been thus mitigated in an earthly court, yet as a more awful indictment at the bar of divine justice stands out against every such offender, it is hoped sincere repentance will be granted, lest a worse punishment, without the least mercy, fall upon them; for, whatever men may think, the day is approaching, when every secret and open sin, unatoned for and unrepented of, shall undergo a strict and impartial scrutiny at that awful bar.

"Where the bad meet punishment, the good reward."

Account of JOHN KNIGHT, for Murder.

AS crimes which affect the property of the community in general have been the particular object of the British legislature, who have from time to time enacted wholesome laws, and inflicted severe punishments against the perpetrators thereof; so none can come more properly under this denomination than that of smuggling or dealing in uncustomed goods, inasmuch as it is extremely detrimental to the fair trader, as well as to his Majesty's revenue. This practice Knight had been carrying on for some time; and on the 26th of Feb. 1780, having, with some other smugglers, met two dragoons at Whitstable, near Canterbury, he assisted in shooting them. Being apprehended, on the 16th of March following he was tried at Maidstone assizes for the fact, found guilty, and afterwards executed on Pennington Heath.

Thus we find, in this and numberless other instances, that "the wages of sin is death;" and that evil company and examples plunge many inconsiderate mortals into destruction; whilst, on the contrary, the happiness and tranquillity which a life of sobriety and industry affords to others, prove to a demonstration, that 'honesty is the best policy,' and 'virtue is its own reward.'

An authentic Account of the dreadful Riots which happened in the Beginning of the Month of June, 1780, and the destructive Effects thereof.

WERE it not that facts put the matter beyond a doubt, it would seem almost incredible that such horrid devastation, which we shall here give some account of, could be committed by a gang of lawless miscreants, and also increase for several days together, in the very heart of the kingdom, and its capital, to the terror of all ranks and orders of people.

This alarming commotion took its rise from a resolution of the Protestant Association, of which Lord George Gordon was president, to address the parliament, by petition; in order to obtain a repeal of the act lately made in favour of the Roman catholics; which petition was agreed to be accompanied to the parliament-house by the whole body of subscribers. Accordingly on the 2d of June they assembled in St. George's Fields, in four divisions, to the amount of at least fifty thousand, and proceeded from thence to the house of parliament, where

where having waited till the members came, some of them were very roughly treated by them; particularly the abp. of York, the lord president, lords Mansfield and Stormont, bp. of Lincoln, Welbore Ellis, Esq; Mr. Strahan, &c. The rabble even attempted to force their way into the house of commons, so that the members could scarcely get in or out. Lord Geo. Gordon endeavoured to disperse them, by telling them, their gracious king would give them relief, and that their petition would be heard on Tuesday.

The mob now formed themselves into parties, some going to the Romish chapel in Duke-street, Lincoln's-inn-fields, and others to that in Warwick-street, Golden-square, both which buildings they in a great measure soon demolished. Thirteen of the rioters were taken and lodged in prison, and the tumult for the present subsided.

On Sunday afternoon the rioters attacked the chapel and dwelling-houses of the Roman catholics in Ropemakers-alley, Moorfields, the furniture and fittings-up of which they burnt. They now declared their resolution of releasing the people confined in Newgate for the violence committed at the Sardinian and Warwick-street chapels.

On Monday, the mob growing more formidable, the chapels in Virginia-lane, Wapping, and Nightingale-lane, East-Smithfield, were destroyed by several parties. Mr. Rainsforth, of Stanhope-street, and Mr. Maberly, of Long-Acre, who had given evidence against those who had been taken, had their houses stripped, and the contents committed to the flames; and the house of Sir Geo. Saville shared a like fate.

On Tuesday the military were ordered upon duty at both houses of parliament, St. James's, the Tower, &c. Notwithstanding which, the earl of Sandwich, in his way to the house of Lords, was dragged from his carriage, and with difficulty rescued by the soldiers. Lord G. Gordon afterwards desiring the people to disperse, they took the horses from his carriage, and dragged his lordship to his house in Welbeck-street.

After destroying the house of justice Hyde, near Leicester-fields, a party of the rioters broke into Newgate, set fire to Mr. Akerman's furniture, which they had thrown into the street; and afterwards burnt the gaol itself, which had lately been erected at an immense expence, the walls being only left standing; and released about three hundred prisoners.

The same night, a party of these desperate ruffians set fire to earl Mansfield's house in Bloomsbury-square, which was entirely consumed, with a collection of very valuable pictures, and (an irreparable loss to the present age and posterity) 300

manuscript volumes of notes on great law cases, and the constitution of England and privileges of parliament, (the last of which his lordship had just transcribed for the press) after having been collected with unremitting assiduity by this great luminary, and also many very scarce manuscripts, were sacrificed to the fury of an ungovernable mob! The military did not arrive in time to prevent the mischief, but, in dispersing the mob, killed six men and a woman, and wounded many others. The house of justice Cox in Great Queen-street, and of Sir John Fielding in Bow-street, they also destroyed, and set at liberty all the prisoners in New-prison, Clerkenwell.

At the close of Wednesday was exhibited one of the most awful and dreadful spectacles ever seen in the metropolis; for they destroyed by fire the King's Bench and Fleet prisons, the toll-house on Blackfriars-bridge, two houses of Mr. Langdale, an eminent distiller in Holborn, one at the bottom and the other near the Bars, besides several dwellings of Roman Catholics, so that the inhabitants were terrified at the sight of many different fires (some say twelve or upwards) burning at the same time in the middle of the night, and the streets were crowded with persons moving their goods, scarcely knowing where to go for safety. The insurgents had likewise declared their determination of destroying the Bank, Gray's-inn, Lincoln's-inn, the Temple, the grand arsenal at Woolwich, the royal palaces, &c. &c. It now became necessary to exert the royal prerogative, and give the military discretionary power.

For the protection of the Bank, guards were stationed before that building, and within the Royal Exchange, St. Paul's church, inns of courts, &c. and at the water-works belonging to the New River company and London-bridge, both which last had been threatened with destruction. The rioters made two attacks upon the Bank, and one upon the Pay-office; in which attempts many persons were killed and wounded by the soldiers. Two men and a boy were shot in the Fleet-market; three men were shot dead upon Blackfriars-bridge; numbers killed themselves by excessively drinking non-rectified spirits at Mr. Langdale's distilleries; others burnt to death or buried in the ruins, from which about 20 of these wretches were dragged out, many of them being dead. The same scenes of shocking intemperance happened at several other places, and were attended with the like dreadful effects.

Some disturbances happened in the Borough, where several individuals suffered considerably in their property; but the rioters were soon dispersed by the military; as they also were at lord Mansfield's fine seat at Caen-wood, Hampstead.

The

The following is a general view of the trials of the rioters, under a special commission granted for that purpose: In London and Middlesex—Tried, 84; found guilty, 34; respited, 15; executed, 19; acquitted, 50. In Southwark—Tried, 50; found guilty, 24; respited, 18; executed, 7; acquitted, 26. Besides the above who were executed, the return published of those who were killed by the soldiers amounted to 210, and 75 died in hospitals: in all, 285; and upwards of 2000 were set at liberty from the several gaols.

The sessions at the Old Bailey, at which the London rioters were tried, began June 29th, and ended on the 11th of July following, when 34 were capitally convicted.—At St. Margaret's hill sittings, held by special commission, and which ended July 20th, 50 persons were tried as rioters, of whom 24 were capitally convicted.

It is necessary to observe, that there was not one man of character or condition, of any description, who abetted the rioters in the commission of such dreadful enormities; nor any man among the associated Protestants, who was either tried or taken up on suspicion, except the imprudent young nobleman, (afterwards tried and acquitted) whose intemperate zeal precipitated him into measures which he was far from imagining would be productive of those dreadful consequences, by which the whole metropolis, and its environs, were thrown into a state of convulsion unparalleled in the annals of history.

We must here observe, that the enormous outrages committed by these abandoned wretches were so numerous and terrifying, and the further mischiefs dreaded from their menaces were so tremendous, that (as was remarked of one of the cruel Roman emperors) one would almost think Divine Providence had suffered them to run such shocking lengths, to shew what horrid excesses the human mind is capable of, when left to its own evil bias without restraint.—But the punishment due to such heinous crimes soon overtook many of them, though it is to be feared not all of the most guilty; since many imprudent and over-curious persons, by mixing with the principal actors, had involved themselves in the same punishment. But however, the sufferings of some of the most notorious offenders, at the same time that it may serve as an example of terror to evil doers, sufficiently proves that how daringly soever wickedness may triumph for a season, it will draw after it the punishment justly due to the transgression of human laws, and, without repentance, an obnoxiousness hereafter to the vengeance of the Almighty.

76 NEW NEWGATE CALENDAR.

The names of the malefactors, with the times and places of their execution, are as follow :

William Macdonald, Charlotte Gardiner, and Mary Roberts, were executed July 11th, at Tower-hill; Wm. Brown, in Bishopsgate-street; and William Bateman, in Coleman-street.—On the 12th, Thomas Taplin and Richard Roberts, in Bow-street; and James Henry, on Holborn-hill.—On the 13th, Enoch Fleming, in Oxford Road.—On the 20th, John Gamble, at Bethnal Green; Sam. Solomons, in White-chapel; and James Jackson, in the Old Bailey.—On the 21st, Thomas Price, James Burn, and Benjamin Waters, in Old-street; and George Staples, and Jonathan Stacey, in Moorfields.—On the 22d, Charles Kent, and John Grey, in Bloomsbury-square.

Borough rioters, executed August 9, 1780, in St. George's Fields: Robert Lovell, Mary Cook, Edw. Dorman, Olive Johnson, Eliz. Collings, Henry Penny, and John Bridport, who all behaved in a very becoming manner.

Account of ABRAHAM DARNFORD, and WILLIAM NEWTON, for assaulting James Watts, the Bankers' Clerk.

THIS extraordinary affair happened Aug. 5, 1780, at No. 21, in Water-lane, Black Friars, which house Darnford and Newton hired, after it had been empty for some time. A note payable at this house, and which became due on the above day, had been previously left with Mess. Smith, Wright, and Gray, bankers in Lombard-street. Their clerk, a young man about 18 years of age, came to the house for the money: they opened the door, and on his entering collared him, attempted to gag him, and drag him down into the cellar. Finding their intention was to murder him, by an extraordinary effort he got from them, and ran to the street-door; this being locked, they again seized him, and attempted to drag him back, having previously barricaded the cellar windows, and fixed double doors on the stairs, so as to prevent the hearing the cries of any person put therein. But his screams being providentially heard by Mrs. Boucher, who kept the Gladiers Arms on the opposite side of the way, she ran over to his relief, and thundered at the door; which being fast, she burst open the lower sash window, and got so far in as to see the transaction in the passage, and to seize and secure Darnford. Newton jumped out of a one pair of stairs window, but, being immediately pursued, was overtaken and brought back.

There

There have been several instances of bankers' clerks being missing, who have been supposed to abscond with the property entrusted to them; but it is more than probable that they have met with a fate similar to that which had so nearly befallen the above-mentioned clerk.

They were tried at the Old Bailey, Sept. 17th, for the assault on the said clerk, and robbing him of a pocket book containing notes and bills to the amount of about 4000*l*. and were condemned chiefly on the evidence of Mrs. Boucher, as Mr. Watts, being a quaker, refused to give evidence on oath.

As Darnford had defrauded many people in a very singular manner, and as the method which he took to do it was not only very injurious to the parties respecting their property, but also productive of much confusion and distrust between the country and London correspondents; it may not be improper, for the satisfaction of our readers, and detecting the like practice in future, to give a few particulars of the means he made use of for carrying his villainous designs into execution. In a paper delivered to the ordinary at the place of execution, he informed the public as follows:

"The method I chiefly put in practice, was, forging the post-mark of different towns, which I put on a piece of paper made up as a letter, and then went to the inns where the coaches came, and heard the parcels called over; then went to a neighbouring public-house, and wrote the direction on the letter the same as was on the parcel I had fixed on. The book-keepers seeing the direction the same, and the post-mark on it, usually gave me what I asked for, on paying their demand." He then gives the following instance, among several others:

"In Sept. 1777, I obtained a parcel from Norwich, directed to Mess. Smith, Wright, and Gray, which contained Bills to the amount of 500*l*. and upwards; one of them, for 216*l*. 5*s*. was drawn on Mr. Gausson, in St. Helen's, which I carried for acceptance, and prevailed on him to give me the cash for, allowing him the discount: I wrote John Watkins on the bill, and likewise on the draft, which Mr. Gausson paid me: the amount I received in cash at the bank of England. Two more of the bills I left for acceptance, and the others I destroyed."

He had also been concerned in taking from carriages, inns, &c. boxes, trunks, portmanteaus, &c. which if on opening he found contained no cash, or materials worth keeping, he always sent according to the directions. By these means he

was

was enabled to purchase several houses, which produced an income of about 120*l.* per annum.—He denied having had the least thought or intention to murder the clerk; and that he never divulged his intentions concerning the fact to Newton; who also, in a paper delivered to the minister before execution, solemnly declared he was only employed by Darnford on pretence of confining an evidence for an hour or two, that he might not appear on a trial against him.

They were both executed at Tyburn, Nov. 22, 1780.

Authentic Particulars of JOHN DONELLAN, Esq; who was executed for the Murder of Sir Theodosius Boughton, Bart.

CAPT. Donellan entered very young into his Majesty's service; and in 1757 went to Madras in the E. Indies, where he was a subaltern in the 39th regiment, commanded by capt. Aldercorn. He continued in the service here till 1759, when he and some other officers were dismissed, pursuant to the sentence of a court martial, for seizing and retaining the effects belonging to the garrison and black merchants of Mazulipatam, the capital of Golconda, after they had capitulated. This disgraceful sentence putting an end to his military character, he embarked for England, to obtain a reversal of it; but without effect.

After his return to England, being unhappily under the controul of irregular propensities, his fortune soon became greatly injured; but he still reserved a sum sufficient to purchase a share or two in the Pantheon, which, his embarrassments increasing, he was obliged to sell under great disadvantages. Play and gallantry, the ultimate subterfuges of dissipation, wholly engrossed his time and thoughts. His universal intercourse with polite prostitutes was well known, and tended to increase his consequence: his connection with a married lady was also the subject of much conversation, her house, table, servants, and carriages being at his command. He was a great, but generally an unsuccessful gamester.

He first met with lady Boughton, and her daughter, at the Pantheon in London. The young lady being in possession of a handsome fortune, attracted his notice, and occasioned him to shew the most unremitting assiduities and attention to the ladies, till having at length made an impression on the daughter not unfavourable to his wishes, they agreed to make each other happy by an elopement and clandestine marriage. This affair exasperated the lady's relations for some time, till,

by his decent behaviour, and unwearied efforts to conciliate the esteem of the family, he so far succeeded as to obtain an invitation to Lawford-hall, the seat of the Boughtons, where he soon acquired an ascendancy over every branch of the family; no arrangement being made, nor alteration admitted in the domestic economy, without his advice and participation; his orders were as punctually obeyed as though he had been the owner of the mansion.

He was tried at Warwick assizes, March 30, 1781. By lady Boughton's evidence it appeared, that her son was 20 years old; his fortune, when at age, would have been about 2000*l.* a year, most of which, at his death, was to descend to his sister, Mrs. Donellan: that Sir Theodosius being under cure at Lawford-hall for a venereal complaint, the witnesses alledged Mr. Donellan found means to mix laurel-water (a strong poison, of his own distilling) with Sir T.'s physic. This being innocently administered by his mother, lady Boughton, threw him into convulsions, and in about ten minutes after he expired, August 30, 1780. Capt. Donellan, seeing what had happened, immediately washed and rinsed the bottles, for which her ladyship blamed him. This circumstance, and his hastily burying the body to prevent inspection—the coroner's charge of Wilful Murder—the physician's evidence from viewing the body when taken up—and the evidence of a number of witnesses, who were of opinion that Sir T.'s death was occasioned by poison prepared by captain Donellan—these testimonies concurring to criminate him, the jury declared him guilty, and the judge pronounced sentence of death upon him.

At the place of execution, he solemnly declared, as he was shortly to appear before God, that he was innocent, and that he felt a sacrifice to the malice of his prosecutors.

In this unhappy man's case and lamentable catastrophe, we have a striking proof of the dreadful consequences of a life of vicious pleasure and gaiety, which too frequently impel their votaries to use base and illicit means for acquiring money to support extravagant expence: these pursuits tend to harden the conscience, and exclude all thoughts of morality and religion, the only road to true pleasure; forasmuch as profaneness and debauchery lead the unwary to the chambers of death. Let us therefore learn this important lesson, that as we are all fond of honour, so there is no other way to obtain it but in the study and practice of wisdom and virtue; for by the attainment of these our names will be honoured by succeeding ages, while "the memory of the wicked will
"Perish."

He was executed near Warwick city, April 3, 1781.

Account

Account of the Trial, &c. of Wm. MEYER, Esq; for Murder.

ON the 18th of Oct. 1780, Joseph Spinke, a bailiff's follower, had been left with Mr. Meyer, after he had been arrested, till next morning, when the bailiff was to go to Kirkhammerton, the seat of the prisoner's father, for bail or money to pay the debt. About ten at night, after the prisoner and his wife had whispered together, she went out and brought in a pair of pistols under her apron, and gave them to her husband, saying, "There are your pistols, to fulfil your foolish humour." He ordered them to leave the room; which they refusing to do, he fired and shot Spinke in the neck, the ball went thro' the windpipe. Thomas Meyer instantly said, "Now, Mr. Meyer, you have done for yourself." The servant-maid, on hearing the pistol, ran up stairs and met her mistress, who exclaimed, "By the Lord God, here is a man killed." Meyer was secured: Spinke died in a few hours, forgave the prisoner and his wife, but laid his death to their charge.

They were both tried for this fact at York assizes, Mar. 20, 1781, when Wm. Meyer, Esq; was sentenced to die for the same on the 22d of the same month; but afterwards obtained a respite, which did not avail him long.

His behaviour at the last was very unsuitable to his awful situation: he severely accused his wife, and thought his sentence hard; nor had he such an affecting sense of his crime as to repent of it as became him, but wasted his few remaining moments in a light and trifling manner.

It is our hearty and sincere wish, that a due and timely reflection on the denunciations of the Almighty against this and other heinous crimes, and the ignominious punishments inflicted on those who are guilty of them, may deter men from such evil practices; and that, instead of attacking the lives and property of others, sobriety and industry may take place, and every laudable pursuit render them valuable and useful members of the community. And for the obtaining this last-mentioned desirable disposition, it is the interest and happiness of every one to seek that true wisdom which comes from above, and employ it to the most noble and useful purposes, lest, by an abuse of the talents committed to our trust, we incur a curse instead of a blessing, and at the last be rejected, by the judge of quick and dead, as wicked and unprofitable servants.

He was executed at York April 6, 1781, having been respited from March 22d till that time.

Account

Authentic Particulars of FRANCIS HENRY DE LA MOTTE, who was tried, convicted, and executed for High Treason.

THIS gentleman was indicted for procuring, with the assistance of his agent Lutterloh, an accurate narrative of the general situation of the British navy, and sending the same to the French, by which information they were enabled to counteract and defeat the measures concerted in the British cabinet. The discovery of the fact was made in January, 1781, when the papers in his possession leading thereto were seized at his lodgings in Bond-street.

He was tried for the above crime on the 14th of July following, when it appearing, upon the evidence of a variety of witnesses, but more especially from his own papers which had been seized, that under disguised appellations he had given intelligence to the enemy of the names, strength, number, time of sailing, destination, &c. of the several fleets and ships belonging to the British navy; and other particulars relative to the state of the politics in this country:—The jury, after withdrawing for a few minutes, returned, and pronounced him guilty of High Treason.

Treason, and rebellion, are crimes offensive to God, and injurious to mankind. The king is God's vicegerent, whom we are exhorted to honour as such. If we wish to be happily and quietly governed, we should revere and pray for the sovereign. If we are true patriots, we shall use our utmost endeavours to promote the welfare and prosperity of the state, which may be termed our political parent.

On the 27th of July he was conveyed on a sledge from the Tower to Tyburn, where he was executed pursuant to his sentence.

If persons guilty of high treason were not naturally rebels against the Almighty, so as to set his sacred laws and precepts at defiance, their hearts would revolt at embarking in it; since God has commanded all men to honour the king as supreme, and to behave with becoming duty and respect to all who are in authority under him. The government of England is confessedly the result of a most excellent constitution, composed of king, lords, and commons, and, having the most wise and salutary laws, is calculated for procuring the true and permanent interest of every individual thereof; so that every attempt made to subvert its laws, religion, and policy, is not only criminal, and injurious to the community, considered in a public point of view, but is also replete with the basest ingratitude in every subject and inhabitant, whether
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foreigner

foreigner or native, who enjoys the peculiar advantages this well-formed state affords.—And we may add, that, after all, the person who seeks to enrich or aggrandize himself by such unlawful acts, for which his conscience condemns him, can never expect to be happy, even should he attain to the accomplishment of his wishes; for we are informed, by the infallible pen of inspiration, that “the wicked are like the troubled sea, which cannot rest, whose waters cast up mire and dirt;” and that the man who becomes, by his treacherous conduct, an enemy to the country in and by which he lives, will not only carry about him a little hell in his own heart, but be scorned and shunned by every person of virtue and honour, not excepting those who employed and paid him; for it is a true remark, that though people may love the treason, they seldom fail to hate the traitor!

Account of GEORGE WESTON, otherwise SAMUEL WATSON, and JOSEPH WESTON, otherwise JOSEPH WILLIAM WESTON, otherwise WILLIAM JOHNSON, who were tried for robbing the Mail, and taking thereout several Bank Bills and a Lottery Ticket. George Weston and Joseph Weston were acquitted. But

GEOERGE Weston was likewise indicted for forging the acceptance of a bank post bill in the name of a clerk in the bank; and the fact being proved on the evidence of an officer in the bank, and others, he was found guilty.

Joseph Weston, the other accomplice in the above robbery, was tried for firing a loaded pistol at John Davis, and wounding him in the face and neck, as he was attempting to apprehend him for breaking out of Newgate. The jury brought him in guilty of the charge.

Robberies of this kind are confessedly very hurtful to trade, as well as individuals; and are generally ventured upon by the most daring and abandoned. The other crimes these men embarked in, and for which they suffered, evince the spreading nature of vice, which sooner or later plunges its votaries into irretrievable misery and ruin.

They were both executed at Tyburn, Sept. 4, 1782.

An authentic Summary of the Trial of JOHN and JANE GRAHAM, for Forgery.

THE crime of which these persons were accused was, the altering a 5*l.* bank note to 50*l.* by means of a stamp cut in wood.

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They were apprehended by the servant of the governor of Tothill-fields Bridewell, at the Coach and Horses at Southampton, and brought up to London to take their trials at the Old Bailey; where the crime being fully proved against them, they were both condemned.

Craft and deceit are indications of a corrupt and debased heart, of which forgery is the degenerate offspring. The danger of this practice being no less great in itself, than injurious to society, the authors of it frequently reap the bitter fruit of their misemployed talents, by the just severity of the law against them.

John Graham was executed for this forgery on Oct. 16, 1782. But Jane Graham, his wife, was respited, and afterwards obtained a free pardon.

A brief Account of JOHN EDMONDS and CHARLOTTE GOODALL, for a House Robbery.

THEY robbed the house of Mrs. Frances Fortescue. Goodall was a servant in the house, and had several times robbed her mistress; to conceal which, she had procured Edmonds and two other men to commit the robbery. But it being suspected that she was an accomplice, the fact was soon after proved on the trial, chiefly by the evidence of her fellow-servant, Eliz. Sterne. Edmonds and Goodall accordingly received sentence of death for the same, and were executed at Tyburn, Oct. 16, 1782.

Unfaithfulness to those whom it is our duty conscientiously to serve and obey, is a heinous sin: but this affords a true picture of the heart of man, which is "deceitful above all things, and desperately wicked." An enemy without the walls may be guarded against and repelled; but an enemy within the citadel, being less suspected, is on that account the more dangerous and offensive.

Account of JOSEPH CADDIE and JOHN STUNNEL, for a Robbery, attended with Circumstances of Cruelty.

THEY were tried and cast on the evidence of Milbourn, an accomplice. They robbed some passengers in a post-chaise and pair below the turnpike near Battle bridge, and wounded a gentleman in the hand in a desperate manner with a cutlafs.

Wanton and unprovoked cruelty gives some men a near resemblance to the devil, who was a murderer from the beginning, and who now, as a roaring lion, goeth about seeking whom he may devour.

They were both executed at Tyburn, Sept. 16, 1782, the Monday after their condemnation.

Relation of FRANCIS GRAY, for Murder.

THIS man, in company with William Milbourne, Joseph Caddie, and John Stunnel, mentioned in the preceding account, was apprehended and tried for attacking three men and a boy near Islington, one of whom Gray shot with a pistol. He was convicted upon the evidence of Milbourne, an accomplice in the robbery, who proved, to the satisfaction of the court, that Gray committed the murder as above-mentioned. He denied having an intention to kill the deceased, and persisted to the last moment that the pistol went off by accident. The jury, however, found him guilty.

Men who go on in a mad career of wickedness, are like a heavy stone rolling down a steep hill, which it is impossible to stop; in like manner they who enter upon bad courses begin with smaller crimes, till the hardened heart drives them on to greater; thus, in the above instance, robbery led to murder, when death and destruction finally closed the dreadful scene.

He was executed at Tyburn, Oct. 12, 1782. His behaviour was stupid, nor did he give himself the least concern for his situation.

Account of DANIEL MACGENNIS, for Murder.

HE was tried and convicted at the Old Bailey, for the murder of Mr. Hardy, of Newgate-street, in whose house he lodged. This melancholy affair was occasioned by Macgennis throwing some foul water out of his window upon the skylight over the room where Mr. Hardy was sitting at tea. This imprudent act giving offence to Mr. Hardy, he went up stairs to Macgennis, and reproved him for it; whereupon the latter, being incensed, drew a knife out of his pocket, and thrust it into Mr. Hardy's left side, of which wound he immediately expired upon the stairs. The jury pronounced him guilty, principally on the evidence of the two servants, Mary Decrow and Adey Lancashire.

In this case we see the dire effects of passion, which often changes men of the most amiable qualities into devils. How ought such men to watch over their own spirits; to be open to reproof, and not render evil for evil! "Watch and pray," (says our Saviour) lest ye fall into temptation,"

He was sentenced to be executed on Monday, Jan. 29, 1783; but, in consideration of the excellent character given him, by several reputable noblemen and gentlemen, for charity, humanity, and good nature, he received a respite for fourteen days, and afterwards a pardon on condition of being imprisoned in the King's Bench for two years.

Authentic Relation of WILLIAM WYNNE RYLAND, for Forgery.

HE was tried at the Old Bailey, and found guilty of forging and uttering a bill upon the East India Company for 20l. The servants of the Company not producing sufficient proof of his having uttered the bill, he was convicted by several circumstances which the jury and Court adjudged sufficient to fix the fact upon him. The case of this gentleman was the more unhappy, as he informed the Court, in his defence, that he was able to pay 20l. for every 20s. he owed, possessed 7000l. in the Liverpool water-works, 10,000l. stock in trade, had 200l. per annum pension from the King, and made 2000l. a year by his profession, which was that of an engraver. On his being apprehended, he cut his throat, but the wound did not prove mortal.

What pity is it that the gift of ingenuity, which some men are amply endowed with, should be prostituted to the basest and most nefarious purposes! It is a just remark of Montesaigne, "If men would take half the pains to be honest, which they employ to be knaves, they might enjoy the comforts of life with safety and reputation." This man's affluent circumstances greatly aggravated the criminality of his offence; and shews us, that a life of pleasure and prodigality, if persisted in, will unavoidably terminate in poverty and disgrace; and although sin, obstinately persisted in, will always meet with its punishment, yet God has promised that they who sincerely repent of, and forsake their sins, shall find mercy.

He was executed the 29th of August, 1783, and was the last criminal that suffered at Tyburn.

Account

Account of JOHN BURKE, for Robbery.

HE was tried for robbing Thomas Fellowes, Esq; a justice of peace, as he was returning in his carriage from the County-hall in Clerkenwell-green to his house at Uxbridge: the robbery was committed by Burke, and two others, at a place called Brent Bridge. The person of Burke being positively sworn to by the prosecutor, he was capitally convicted.

This unhappy man afforded one instance, among a number of others, of the pernicious and fatal effects of evil company and bad examples, both which unite together in drowning multitudes in destruction and perdition.

This malefactor was executed Dec. 9, 1783, with nine others, who were the first that suffered on the new gallows before Newgate.

Account of JOHN CLARKE, for Murder.

THIS unhappy wretch was found guilty of the murder of one Johnson, at the Hoop and Bunch of Grapes public-house in Ratcliff Highway. It appeared on the trial, that on the 5th of November, at nine o'clock, Clarke went into the tap-room of the said house, reached across the table, and run a knife into the belly of the deceased, who died in the hospital of the wound, after lingering two days. This melancholy deed seemed to be the effect of liquor, and the dreadful consequence of a quarrel that had previously subsisted between the parties.

Idleness and intemperance are twin vices, and prove to many the high road to destruction. The former paves the way to dishonesty and dissipation; while the latter renders them the willing slaves of the devil, and their own furious and disorderly passions and lusts.

He was executed Dec. 22, 1783.

Authentic Particulars of JOHN ASH, for Forgery.

THIS young man was tried for personating Tho. Eaton, a silversmith in Salisbury-court, Fleet-street, in whose name he sold 57l. 16s. 3d. four per cent. Bank-stock, the property of the said Mr. Eaton. He was convicted chiefly

on the evidence of Mr. Benjamin Hatwell, the broker whom he employed to transfer the stock.

In this person's case, as in that of many others, the observation in scripture was verified, namely, that "the (inordinate) love of money is the root of all evil," by coveting to obtain which in an unlawful manner, some men have pierced themselves through with many sorrows, and have at length ended their lives with misery and shame.

He was executed on the 4th of March, 1784.

Account of THOMAS WHITE, for a Robbery.

HE was in the service of lady Forrester, in Portland-street, whose house he caused to be robbed of plate and other valuables, early in the morning of Sunday the 9th of May. In order to conceal his being a party in this piece of villainy, he suffered himself to be tied hand and foot; in which condition the watchman found him, when he entered the house. Being taken up on suspicion and examined, he was on the trial fully proved to be a principal in this atrocious affair. He made no defence.

There cannot be a greater token of a depraved heart, than when men betray the trust and confidence reposed in them. Such are the most dangerous members of society; for, as "ingratitude is worse than the sin of witchcraft," consequently when that odious quality is complicated with a species of villainy injurious to a friend, benefactor, master, or mistress, they form a character too detestable to be described, and which is justly deemed punishable to the utmost rigour of the law.

He was executed July 27, 1784.

Account of JOHN BRANTON and CHARLES GANLEY, for Robbery.

THESE men were tried for robbing the house of Mr. Thompson, at Islington, into which they rushed, after pretending to be sent with a letter to one Miss Young. There were five or six in the gang, one of whom, named Haskey, turned evidence. John Branton was found guilty, and received sentence of death; and Charles Ganley was acquitted.

Wrong

Wrong and robbery are two sore evils, and if not timely relinquished by repentance and amendment, will infallibly lead the perpetrators of them to the chambers of death. The salutary advice of scripture is, "Let him that stole, steal no more; but rather let him work with his hands the thing that is good."

John Branton was executed July 27, 1784.

Account of WILLIAM HOLMES and JOHN MASH, for a Burglary.

ON the 23d of June they broke into the house of Mr. Hamilton, an innkeeper at Endfield, and stole plate and other things of value. They were detected by William Pratt, the servant, whose room they entered when he was awake. He immediately alarmed his fellow-servants, and Holmes was taken not far from the house. Mash was afterwards apprehended by one of Justice Wilmot's men. Holmes was pronounced guilty, death; Mash, not guilty.

House-breaking is a most desperate species of robbery. Those who engage in it may fitly be compared to Satan, who in an inauspicious hour broke into the garden of Eden, stripped our first parents of their innocence, and filled the world with violence and rapine. Thieves and robbers, therefore, are of their father the devil, and the works of their father they will do; but all such enjoy short and unsatisfying pleasure, to which long woe frequently succeeds. And in the mean time, while such persons are carrying on their depredations on the public, they cannot but at times, unless intirely hardened, be subject to the stings of an accusing conscience, which severely condemns the guilty. The terrors of an agonizing conscience have in many instances been so intolerable, that the atrocious offender, unable to support the violence of divine wrath, has often laid violent hands on himself: but this desperate expedient will prove at length, to all such, only the beginning of sorrows.

Holmes was executed on the first of Sept. 1784.



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*Account of RICHARD EDWARDS, ROBERT MOORE, JOHN SHELLEY,
and JAMES NAPIER, for Robbery, &c.*

RICHARD Edwards was capitally convicted for assaulting the Hon. Keith Elphinston, near the theatre in the Haymarket, and forcibly taking from him a gold watch, gold seal, &c., Robert alias John Moore, for assaulting Mrs. Arabella Jeffreys, near St. James's gate, and snatching from her head-dress a cluster-diamond pin. John Codd, for a street-robbery on Samuel Ellison. John Shelly, for being concerned with others in rescuing and carrying away 350lb. which had been seized by an excise officer. James Napier, for robbing Albina Hobart, near the opera house, of a diamond ear-ring, by tearing the same from her ear, but which, slipping out of his hand, fell into her handkerchief. These unhappy men joined the ordinary in fervent devotion, who recommended them to the divine mercy, which if they had before sought dilligently, they would have escaped their dreadful doom.

They were executed at Newgate, with William Holmes before mentioned, 1st of Sept. 1784.

HENRY MORGAN, for a Murder and Robbery.

THIS unfortunate malefactor was found guilty of robbing Mr. Charles Linton on the highway, in the parish of St. Martin in the Fields; and afterwards stabbing him in the belly with a case knife. The judge, before pronouncing sentence, told him, among other things, "You have deprived the wife of her husband, the children of a father, and both of their protector: you have reduced an innocent family to misery and distress, and deprived them of that support, or forced them to seek it from the public, which they derived from the honest industry of the deceased." Soon after the ordinary quitted the scaffold, this wretched criminal continued to repeat, in an impassioned tone of voice, "Oh my God, forgive all my sins; Lord have mercy upon me; Christ Jesus receive my soul." And while uttering these ejaculations, soon, after a few convulsive struggles, became motionless. He was a melancholy instance, among others, of those who, having respectable relatives and friends, pursue such destructive courses as compel the justice of the laws to cut them off, as corrupt members of society, and disturbers of the public tranquillity.

He was executed on Sept. 20, 1784.

SAMUEL HARRIS and JOHN NORTH, for Piracy.

HARRIS was formerly a porter at a tavern near Temple-bar, and recommended as a waiter to a public-house at Margate, where he unhappily got connected with some smugglers, and entered into their fraternity. North, alias Norton, was a native

of Donnegal in Ireland, and bred to the sea. They were afterwards hung in chains at Deal.

Harris and North suffered at Execution-dock, Nov. 13, 1784.

The following Criminals suffered Death for divers Robberies, &c. namely,

JAMES LYDE, alias William Johnson, for assuming the name and character of Edward Stokes, late a seaman on board the Lively sloop, in order to receive Stokes's wages. William Hogborn, for stealing two geldings and a cow, the property of divers persons, from Putney common. William Rellions, for robbing William Rough of 5s. 1d. on the highway. William Collop, for robbing James Fergus of a pair of studs, and a pair of knee-buckles. James Forbester, for a burglary in the dwelling-house of Daniel Andrews. George Drummond, for stealing from the person of the earl of Clermont a gold watch, steel chain, and two seals. Peter Le Roche, for stealing a quantity of apparel, the property of James Martin. Joseph Hulet, for privately stealing in the house of Mr. Priestman, a pawnbroker in Bloomsbury, to whom he was apprentice, watches, rings, &c. to the value of 350l. Kyran Ryan, for forging the will of John Welch, deceased. Hulet, a slim lad, about 18, kicked and struggled surprisingly, and continued so to do for several minutes after his fellow-sufferers were dead. Such was the unhappy fate of nine-men, who, it is probable, owed their ruin to idleness, bad company, and pernicious examples, the bane of thousands.

They were executed Nov. 17, 1784.

Account of the six Malefactors executed Dec. 20, 1784; viz.

WILLIAM RYAN, for personating the brother of John Harrison, late of his Majesty's ship Isis, and administering to a counterfeited will, with intent to defraud said Harrison. James alias Joseph Treble, and George Hands, for robbing Edward Rutter on the highway, of a watch and five shillings. William Coombes, for being at large before the expiration of the time for which he had been transported. Henry Moore and Rich. Dodd, for assaulting John Cotton near Poplar, and robbing him of a silk purse, two guineas, and half a crown. They manifested every appearance of sincere repentance. Moore and Dodd died with hands closely clasped together, which did not separate for some time after their bodies were motionless. Happy had they united heart and hand in practising virtuous actions, instead of walking in the paths of vice, which lead to the ruin of their own peace and happiness here, and to eternal misery hereafter; for as the ways of wisdom and virtue only lead to happiness, so, on the contrary, there never is, nor ever can be, any true peace to the wicked.

GEORGE

GEORGE OWEN, for Forgery.

THIS unhappy young man was condemned for forging, and publishing as true, a certain order to the assay-master of the goldsmiths' company, for the delivery of certain silver goods left for the assaying and marking, with intent to defraud. He was ordered for execution with the six last mentioned; but obtained a respite after he had been haltered, and was preparing for execution; and the moment he received the welcome tidings, he dropped on his knees, and with great fervency returned thanks to the Almighty for his goodness. However, the respite being expired, he was again ordered for execution; but was nevertheless prepossessed with a notion, even to the last moment of his existence, that he should receive the royal mercy. He had a week before the first order been perfectly reconciled to his sentence, and often declared he should have felt no regret on leaving the world at that period; but his unexpected respite, and the sum left him by his father (near 700*l.* and a freehold of 52*l.* per annum) recalled all his affections for sublunary enjoyments. On leaving his cell, he said, "Surely "God will grant me a longer life;" and intreated the sheriffs to wait for some "good news." They very humanely postponed the poor creature's execution till near two hours after the usual time. He desired leave to give the signal, by dropping a handkerchief; but continuing near half an hour without making that sign, the executioner was ordered to drop the scaffold. How flattering and deceitful are those hopes which are founded on any thing short of integrity and virtue!

He was executed Jan. 6, 1785.

Execution of Twenty Criminals for Robberies, Burglaries, &c.

THE names of these unhappy men, and the crimes for which they suffered, were as follows: John Hamilton, William Astel, John Kelsey, William Finder, William Steward, and Melvin Simmonds, for different burglaries. George Goldsmith, Richard Hobson, Lawrence and John Jones, for a burglary at the Black Dog in Shoreditch. Edward Johnson and John Evans, for privately stealing in separate dwelling-houses. James Dunn, for publishing a forged seaman's will. William Abbot, for publishing a counterfeit bill of sale, with intent to defraud the owners of the Warren Hastings Indiaman. Allen Williams, for assaulting and robbing a passenger at Shepherd's Bush. John Shaw, Thomas Tabbs, Geo. Harris, Thomas Battledore, and John Moody, for assaulting Thomas Francis near Bagnigge-wells.

This day exhibited indeed a very awful spectacle to sober minds; but yet, alas! not sufficiently so to alarm hardened profligates, and deter them from committing further depredations on the public,

and acting in defiance of the laws, till disgrace and destruction overtake them!

They were executed on the 2d of Feb. 1785:

EDWARD PAYNE, JOHN PRICE, JOHN BROWN, SAMUEL DAVIS,
and WILLIAM HUNT, for Highway Robberies, &c.

PPRICE declared in the most solemn manner, after he was ordered for execution, and on the scaffold, that he and another man, then in custody, were the persons who robbed Mr. Alderman Kitchen, about two years ago, on the highway near Hornsey; for which Peter Airey and — Davis were capitally convicted, but received a respite, and were a short time ago transported to the British settlements in Africa. And, previous to his execution, William Hunt confessed to the ordinary of Newgate, and to Mr. Akerman, that he, and another man then confined in a county gaol, were the persons who robbed Sir Thomas Davenport and his lady in October last; for which Thomas Wood and George Brown were tried and acquitted at the December sessions.

The above were executed on the 2d of March, 1785.

Account of the Execution of Nineteen capital Convicts, viz.

JAMES Wiggan and James Russel, for footpad robberies. Joseph Hitchcock and James Gray, for stealing on board the ship Elbe, Joel Goddard master, in the Thames, 3 casks and 2 boxes, containing 10,000 dollars and 20 watches. John Lucas, John Waters, and Richard Summers, alias Smith, for stealing out of the dwelling-house of Thomas Knott, in King-street, Covent Garden, a large quantity of black and white lace, ribbon, and other things, value 700l. and upwards. James Cowan, William Bland, Jasper Robins, Robert Roberts, for divers burglaries. Charles Peyton, Robert Mott, and Thomas West for returning from transportation. James Coyle, and John Johnson, alias Bandy, for street-robberies. Michael Johnson, alias M'Mahone, for forging a seaman's will. Holland Palmer, alias Farmer, convicted of feloniously uttering and vending certain forged receipts for payment of money, with certain stamps thereon, resembling the stamps provided by the late act.—Oh that men were wise; that they would consider and amend their ways, and thereby attain a peaceable, instead of an ignominious latter-end!

They were executed on the 23d of April, 1785.

JOHN THOMPSON, alias WRINKLE, for Burglary.

HE was convicted for breaking into the house of Henry Wells, in Thames-street, violently throwing down Mrs. Wells, and other

other outrage, with intent to rob the house; and, for this fact, was executed on April 26, 1785.

G EORGE Ward, Thomas Scott, Thomas Conner, Henry Wood, Thomas Bateman, alias Parker, and John Hughes, for divers robberies; Patrick Dudley, for private theft; George Mawley, for escaping a second time from the hulks; William Harding and James Haywood, for burglaries; were executed on the 4th of June, 1785.

J OHN Ivenay and John Honey, for highway robberies; Peter Shaw, for stealing in the dwelling-house of Edwin Francis Stanhope, Esq; in Curzon-street, May Fair, two gold boxes, six watches, &c. Joseph Brown, for a burglary, and Robert Jackson, for forging a seaman's letter of attorney, were executed before Newgate, on the 6th of July, 1785.

On the 18th of August, 1785, were executed in the Old Bailey,

J OHN Reboult, alias Prescott, John Morris, and James Guthrie, for highway robberies; Martin Taylor, and Eliz. Taylor, his sister, for a burglary; and James Lockhart, for theft.

On the 10th of Nov. 1785, the following Malefactors were executed before Newgate, viz.

J AMES Rowe, for sheep-stealing; John Hayes, George Reynolds, James Lewis, and William Beer, for privately stealing; James Maidell, Thomas Browning, Thomas Winderbank, William Barnes, and Richard Silvester, alias Jack the Gardener, for highway and street robberies; Amos Rowfell, Benjamin Howell, and William Moore, for burglaries; Joseph Banning, for forging a draft in the name of George Prescott, Esq; on Mess. Prescott and Co. bankers; John Ashbourn, and Joseph Wood, for house-breaking; John Lloyd, alias Jones, for horse-stealing; and James Connel, for house-breaking. Thus eighteen unhappy wretches are, for their felonious practices, justly cut off from society, who by virtuous courses might have proved honourable and useful members of it.

The following nine Criminals were capitally convicted in October Sessions, 1785, viz.

M ICHAEL Smith and James Nesbit, for burglaries; John Isaacs, for a highway robbery; William Powley, for horse-stealing; William Vandeput, James Beatman, Francis Storer, and Daniel

Daniel East, for breaking into the dwelling-house and warehouse of Lewis Tessier, Esq; of Old Bond-street, and stealing a bale of silk, value upwards of 200l. George Manning, alias Francis Hill, for house-breaking. They were executed, pursuant to their sentence, on Dec. 1, 1785.

JOHN HOGAN, a *Mulatto*, for *Murder*.

THE circumstances of this horrid act were as follow: Mr. Orrell, an attorney in Charlotte-street, Rathbone-place, went out with his wife, at three o'clock on Sunday afternoon, June 29, 1785, leaving their maid in the house. They returned within the hour; when the servant not answering the door, they concluded that she had slipped out; and they went away again for a short time; upon their second return, the same difficulty occurring, it was determined to enter the back part of the house, by getting over a wall; when the girl was discovered upon the kitchen floor, weltering in blood, a most shocking spectacle. From the various marks of violence, she must have made a strong resistance. Her head appeared to have been struck at with a poker; her throat effectually cut through the windpipe; two fingers nearly cut off; a deep gash on one breast, and otherwise dreadfully mangled. She was yet alive, and made signs, but was unable to speak: she was conveyed to the Middlesex hospital, and expired about one in the morning. The house was found to be robbed of spoons, and some other plate that lay about. The murderer had visited the girl two or three preceding Sundays, which caused a suspicion of his guilt.

A short time before the murder he had brought home some chairs to Mr. Orrell's; and a person answering his description having been seen in the neighbourhood that day, suspicion fell on him, and he was twice taken up, and twice discharged for want of evidence. On being afterwards taken to the body of the deceased, he appeared not in the least agitated; but putting his hand on her breast, he said, "My dear Nanny, I do remember you well, I never did you any harm in my life?" These expressions very forcibly added to the suspicions of his guilt, because her face was so exceedingly cut and mangled, that Mr. Orrell declared he could not possibly have known her. Two other circumstances, which tended to criminate him, were, a spot of blood on a waistcoat which he wore, and some slight marks of blood on one of the sleeves of his coat; which coat had been washed, though the blood on the sleeve remained; and an effort seemed to have been made, but in vain, to rub out the spot of blood from the waistcoat.

Hogan having been afterwards tried for a larceny, and Mr. Orrell reading his trial in the sessions-paper, it occurred to him to search at the pawn-broker's, where he had pawned the property stolen, for which he was so tried, to see if any of his property, which was stolen at the time of the murder, had been lodged with

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that pawnbroker:—there he found a cloak of his wife's, pawned the morning after the murder, by the woman with whom the prisoner cohabited, who was also the principal evidence against him. She deposed, that he brought her home a cloak, which he said he had bought, on condition of paying for it at the rate of so much a week. The cloak was produced in court, and Mrs. Orréll swore to it as her property. The deponent said, that after Hogan had been twice taken before a magistrate, he, at intervals, appeared to be very uneasy; that, particularly, he could not sleep in bed; that she said to him one night, "For God's sake, what is the matter with you? surely you are not guilty of what you have been taken up for?" that his answer was, "Yes, I am—I am guilty—I did it." She then was much troubled in mind, and apprehended fatal consequences to herself, particularly as he said to her, "You must say nothing, you must be quiet; for if I be hanged, you will be hanged with me;" and on her asking him, why he had murdered the young woman, he answered, because he wanted to be great with her, and she resisted him." He said, in his defence, "I am innocent; and if any body takes away my life, I will never forgive them." Such are the dire effects of ignorance and obduracy! He was executed on a gibbet opposite Mr. Orrell's house, Jan. 16, 1786.

On April 13, 1786, twelve Malefactors were executed before Newgate.

THE morning preceding the execution, Major Arabin called at Newgate on Thomas Burdett, (who was to be executed next day, for breaking open the house of Mr. Chancellor, at Holywell Mount) and asked whether he knew any thing of the robbery of his house, on the 7th of March last. To this Burdett answered in the affirmative. The Major then desired to know if he had any accomplices, and if they were still at large; to which Burdett replied, "You, Major, I suppose, call yourself a man of honour."—"Yes."—"So do I."—"Have you any hopes of a pardon?"—"No; nor would I make the desired discovery to procure it, and my immediate enlargement: I have long been a wicked man; I deserve the punishment I am going to suffer, and am perfectly resigned." Thus did this son of violence awfully retain his attachment to his companions in wickedness, and thereby, with a hardened conscience, countenance their vile practices, even to the last!

ON June 21, 1786, JONATHAN HARWOOD, for assaulting Mr. Drummond on the highway, and obtaining money from him, by threats of charging him with an odious crime; and Phæbe Harris, (who was burnt) for counterfeiting shillings; with four other malefactors, were executed before Newgate.

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Account of MICHAEL WALKER, RICHARD PAYNE, and JOHN COX, for Murder.

ON Dec. 22, 1786, Twenty-three prisoners received sentence of death. Michael Walker, Richard Payne, and John Cox, were tried in this sessions; the first as principal, for the murder of Mr. Duncan Robinson, near Stuart's buildings, Holborn, by cutting him down the face and shoulder, and stabbing him in different parts of his arm, of which he died in three days; and the other two for being present, aiding and assisting in the said murder. One of the prisoners had picked the pocket of a Mr. Hunt, who was walking in company with the deceased: Mr. Hunt apprehended the prisoner, on which a scuffle ensued, in which Mr. Hunt knocked down his antagonist twice, when Payne attacked him, and Mr. Robinson coming to his assistance, received the dreadful wound that occasioned his death. Mr. Baron Hotham, at the close of his charge to the jury, made some excellent observations on the law, tending to prove, that when several partners are in pursuit of an illegal action, and a murder ensues, all are equally involved in the guilt. They were executed on Monday the 18th, near the spot where the murder was committed.

Account of ELIZABETH SEDGWICK, the Incendiary.

THIS unhappy woman was convicted of setting fire, at different times, to two barns, and one stable, belonging to her master, Mr. John Taylor, at Feltham-hill, Middlesex. It appeared, on her examination and confession, that the first fire (on Sunday, Dec. 10) was merely accidental; as she had then gone into the barn to examine the hens; and that, on returning to the beams on which they roosted, she had fallen on the straw, and, as she thought, put out the candle; but discovering the flames, as she returned to the house, had invented an excuse, by pretending to see a man in the yard with a lantern. But the remaining part of her confession was, perhaps, the most extraordinary that ever marked the waywardness of the human mind: she said, that on Sunday the 17th of January, the day of the second fire, as she was making the toast for tea, she thought struck her, that she would go out and set the other barn on fire; and that when her business was done she had taken out a candle and candlestick, and placed them in such a situation as to effect her strange purpose in a few minutes. She declared that she did this without any motive whatsoever, and no motive could in fact be assigned, but that of absolute insanity, or inveterate resentment; but, on a strict examination of the evidence, that she had never given the smallest occasion to doubt the sanity of her intellects, and that so far was she from being displeased with her master or mistress, that she always spoke of them in terms of the highest praise.

She was executed on April 27, 1787, before Newgate, with fourteen other malefactors.

Account

Account of HENRIETTA RABBOURN, otherwise GIBSON, for Murder.

THIS unhappy person was apprehended, and tried at the Old Bailey the latter end of July, for the murder of her mistress, Hannah Morgan, by wounding and stabbing her in the head, while asleep in her bed: she was indicted, in one count, for petty treason, and for wilful murder. The Jury acquitted her of the former, and found her guilty of the latter. But her judgment having been respited, for the opinion of the Judges, she was, on the 9th of Dec. 1787, set to the bar of the Old Bailey, and acquainted, that their lordships had confirmed the verdict of the Jury; whereupon she was sentenced to be executed on the morrow, and afterwards to be dissected. She was accordingly executed Dec. 10, 1787.

At the same sessions in July, came on the remarkable trial of James Elliott, for shooting at Miss Boydell, now Mrs. Nicol, of Pall Mall, niece to Mr. Alderman Boydell. It appeared that as Miss Boydell, and Mr. Nicol, bookseller to the King, were walking up Prince's-street, Leicester-fields, a person came behind them, and suddenly fired a pair of pistols so close to the lady's side, as to set fire to her cloak: yet she happily received no other hurt than a slight contusion on her shoulder. Mr. Nicol instantly seized the assailant; and the pistols (fast bound together with a cord) were picked up by a servant that was passing by at the instant, and who saw them discharged. The person who fired them, being carried before a magistrate, appeared to be Dr. Elliott, well known among the literati.

Dr. Simmons, physician to St. Luke's hospital, and other witnesses, were called to prove the insanity of the prisoner, which, however, could not be established to the satisfaction of the court. The prisoner, nevertheless, was acquitted; because he had been indicted for shooting at the prosecutrix with a pistol and ball: and the Jury were satisfied that there was no ball in the pistol. He was then remanded to Newgate, in order to take his trial for an assault: but the feelings of the unhappy man, it is supposed, were insupportable, for he died a few days after; and the coroner's jury brought in their verdict, "That he died by the visitation of God."

W. EVERETT and S. DAWSON, for an Assault,

WILLIAM EVERETT, and Samuel Dawson, two boys, about fourteen years old, were tried at the Guildhall, in Westminster, for feloniously assaulting Frances Gilson, with intent to burn and destroy her cloaths, by maliciously throwing upon her apparel a certain quantity of oil of vitriol. This offence is made transportation by Stat. 6 Geo. I. subject to the exercise of a discretionary

tionary power in the court to moderate the punishment according to the circumstances of the case.

The prosecutrix deposed, that as she was passing about her lawful business, the prisoners being together, one of them came up to her, and said to the other, "Do it," and that instantly they threw something on her clothes, which very much burnt them.

The prisoners made no defence; but an apothecary in Oxendon-street, their master, gave them a good character. They were both found guilty of this offence, and of a similar one against Sophia Burnham.

After Mr. Mainwaring had consulted with the other magistrates, he addressed the prisoners as follows:

"William Everett and Samuel Dawson,

"You have been convicted of a crime the most dangerous to the community at large, since no persons, who have occasion to walk the streets, would be safe either by day or night, were offences of this description to be committed, without the most exemplary punishment. It is as wicked in its intention, as mischievous in its consequences; for there is no knowing where it might end. The legislature, therefore, has justly annexed to a crime of such magnitude, the greatest punishment short of that of death, namely, transportation. It is not without much difficulty that the court have forborne to sentence you to the most rigorous punishment the law will allow. It is the consideration of your tender years that inclines them to mercy. With sorrow, however, I observe, that you appear totally unconcerned in your present unfortunate situation. Every person in court seems to feel for you more than you do for yourselves. Unhappy youths! the depravity of your minds appears but too evident; I hope, however, the sentence I am about to pronounce, will lead you to that salutary reflection and compunction of heart that may work a change in your future life, and induce you to become useful, instead of injurious to society."

Mr. Mainwaring then pronounced the sentence, "that the prisoners be confined in prison for the assault on Frances Gilson, three months, and be whipped in gaol; and for the assault on Sophia Burnham, the further term of three months, and be also whipped in the said gaol." The second imprisonment to commence from the expiration of the first. They were tried on the 18th of Oct. 1788.

It is equally astonishing and painful to a serious and sensible mind, to perceive at what an early period the seeds of vice grow up to maturity, and shew their baneful effects; and to what a pitch of malicious wickedness the evil propensities of youth impel them, even sometimes without the least prospect of advantage to themselves! which may for the most part be justly ascribed to the want of proper instructions, example, and restraint in their tender years, from their parents or guardians.

Account

Account of the Murder of MARY PATERSON, by her Husband.

THE particulars of this extraordinary case for deliberate cruelty, &c. is not paralleled even in that of Williamson, who was executed in Moorfields, in 1767. It seems, the deceased had been married to the prisoner upwards of thirteen years; but that he had cohabited with another woman, in the same house, for a considerable time past; and that the former being delivered of a child about five weeks since (i. e. Christmas, 1788), was confined to an empty back garret, tho' previously lame of a white swelling in the knee; and, notwithstanding the inclemency of the weather, had neither fire nor bed, except some straw, and scarce any covering, nor any attendant but her own daughter, about 12 years of age, who acknowledged, upon the examination before the magistrates at the Rotation-Office, that she used to be sent up to the deceased with bread, water, potatoe parings, &c. since her lying-in; but that sometimes she was not sent with any thing for two or three days together. From this cruel treatment, it appeared, the young child died a day or two after it's birth; and, what was more shocking to humanity, was taken away by it's unnatural parent, and sold to a surgeon for four shillings; and who, expecting the death of it's mother, had also procured a coach to take away her body for the same purpose the evening he was apprehended. The barbarous usage of his wife had been discovered a few days before her death, by a woman that came as a lodger into the next garret to which the deceased lay, by her groans; and on the former going into the room imploring for water, which being heard by the woman the prisoner cohabited with, the other was forcibly turned out. This occasioning an alarm among the neighbours, several of them were so abused by the prisoner on insisting to see the woman and child, that their suspicions were communicated to the church-wardens; who, much to their credit, came immediately to the house, and apprehended the man and woman. The corpse was found in a manner too shocking to be described, nearly over-grown with hair, and burnt in several places, occasioned by the prisoner's setting fire to the straw on which she lay after her decease. The deceased bore the character of a person perfectly quiet and inoffensive, had lived in good circumstances, and is said to have been formerly stolen by the prisoner from a boarding school.

Some circumstances appearing in the prisoner's favour, he was acquitted of an intention to murder.

Some Accounts of Nine capital Convicts.

WILLIAM COLLARD, Charles Messenger, Treadway Poock, John Norrington, and John Craig, for burglary; James Grace, Joseph Walker, for making counterfeits of two pieces of base metal, so as to resemble shillings; Hugh Murphy and Christian Murphy,

Murphy, alias Bowman, for making counterfeits of divers pieces of base metal, so as to resemble shillings and sixpences; were executed before Newgate, on the 19th of March, 1789. Christian Murphy, the woman, was, after strangling, burnt to ashes at the stake.

HENRY LLOYD, and HUGH PARTINGTON.

HENRY LLOYD, for a burglary; and Hugh Partington, for a footpad robbery, and cutting and wounding Mr. Debney, in a cruel manner; were executed in the Old Bailey, on Dec. 9, 1789.

Account of JOHN DYER, for Forgery.

HE was indicted for uttering, on the 7th of May, 1789, a forged acceptance to a bill of exchange, knowing it to be forged.

The circumstances of the case were shortly these: The prisoner, on the 7th of May, called at the shop of Mr. Scott, a wax-chandler, in Old Bond-street. He applied to the porter for 36lb. of candles, which he said were for Sir William Hamilton, and produced a bill of exchange for ten guineas, in these words:

“£ 10-10 No. 25.

“Richmond, Surry, April 22, 1790.

“Fourteen days after date please to pay William Smith, or Order, the sum of Ten Pounds Ten Shillings, Value received, as advised.

“To Mess. Hankeys,

CHARLES THOMAS.

“bankers, in London.

“Accepted for Self and Co.

“JOSEPH CHAPMAN HANKEY.”

This bill was immediately discovered to be a forgery; in consequence of which Dyer was secured, tried, and found guilty.

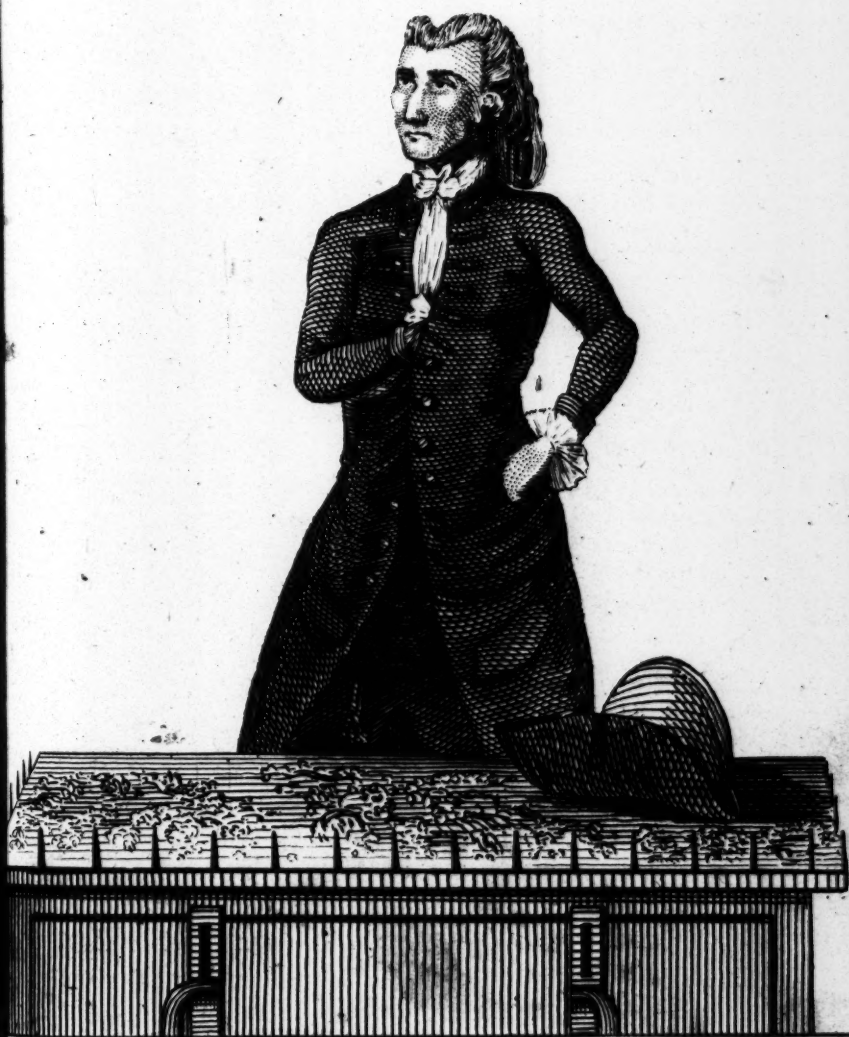
In his defence he said, that he had received the bill from his master, whose name was Kelly, and that he desired him to put the name of William Miller upon it; that he was ignorant of the consequence of so doing, and that in the whole of this transaction he had acted in the capacity of a servant.

He was of reputable parents, and had been brought up at a merchant's counting-house, was originally educated at Westminster-school, and was scarce 19 years of age. Several reputable persons appeared to his character. He was however clearly found guilty.

He was executed opposite the debtors' door, Newgate, Aug. 5, 1790.

Particulars relating to the Trial and Conviction of GEORGE BARRINGTON.

HE was indicted for feloniously stealing, on the 1st of Sept. at Endfield races, a gold watch, valued at 20 guineas; a chain likewise



George Barrington.

As He appeared at the Bar of the Old Bailey.

Drawn by an Artist during the Trial.

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likewise of gold, valued at 40s. and a seal also valued at 40s. the property of Henry Hare Townsend, Esq.

Mr. Townsend, the prosecutor, being first examined, deposed, that on the 1st of Sept. having entered a horse for the races at Endfield, he accordingly went there at one o'clock in the afternoon: he put his watch in his waistcoat pocket, as much for the convenience of looking at it, as to prevent the chain from soiling his breeches, which were of leather. About a quarter past two he felt his watch in his waistcoat pocket. As he was leading the horse, which was to run, up to the starting-post, a person dressed in a light-coloured coat, rudely rushed in from behind him, and pushed against the arm which had hold of the horse: the same person again repeated his push, but in a more violent manner.

Mr. Townsend further deposed, that, from the reiterated apparent insult offered to him, he, accompanied with an oath, asked Barrington what he wanted? to which he returned no answer; but observed the prisoner looked much confused. The conduct on the part of Barrington appeared very odd; but he entertained no suspicion of having been robbed, until Mr. Blades came up to him, and asked him, if he had not been robbed? On feeling his pocket, he found his watch was gone. Mr. Blades informed him that Barrington was on the course, and he verily believed that he was the thief. After this they had agreed to say nothing about the matter, until they had found the supposed offender. They then walked about in search of Barrington, and at last saw him on the opposite side of the course; this was at the very moment when the horses were going to start. Nothing occurred till after the horses were past; after which they went up to him; and Mr. Townsend, going behind him, seized him by the collar, and said, "You rascal, you have robbed me of my watch." No sooner had Mr. Townsend said the words, but he again laid hold of him fast by one hand and arm, and Mr. Blades took hold of the other, and conducted him to a booth.

Buxton Kendrick affirmed, that after he had been about a minute in the booth, he heard something rattle, and, looking down, he saw the watch fall rather between his legs. John Waldeck, Mr. Townsend's coachman, also declared, that he heard the watch jingle as it fell from the prisoner: that Barrington attempted to kick the watch further behind him; but that he picked it up, and gave it to Lady Lake, in the next booth, who was a relation of Mr. Townsend.

William Blades, the principal witness, deposed, that he saw Barrington at the races, he was near the stand, and close to Mr. Townsend: that he observed no conversation at the time, passing between the prosecutor and prisoner. Soon after this, he asked Mr. Townsend, if he recollected a tall thin man, in a light coloured coat, standing by him; which he said he did, but knew nothing of him. Blades after this informed Mr. Townsend, that
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he supposed he was robbed, which appearing to be the fact, they both went in search of the prisoner, whom they apprehended, as above related.

Mary Dandy deposed, that she was standing in the next booth, and saw the prisoner drop the watch out of his hand; after this, she looked him full in the face, and consequently could not tell whether he kicked it, or not. She at the same time accused him of throwing the watch down, but was immediately pulled back by some person near her.

Barrington made a long and specious defence, and, among other things, charged the evidence with being imperfect, inconsistent, and, in some respects, unsafe, especially that of Mary Dandy.

Lord Chief Baron Eyre, having summed up the evidence in a clear and circumstantial manner, observed, that the prosecutor had demonstrated his lenity, by making the indictment only for single felony, when it might have been made capital.—The jury, after a short deliberation, found the prisoner guilty,—Transportation for seven years.

The chief baron then addressed Barrington in a far different style from that he used before: his lordship observed, that he must consider himself as peculiarly fortunate in the lenity of his prosecutor: he said that he had had many warnings, not only from the fate of others, but the many narrow escapes he himself had had; and he regretted that talents like his should be employed in a manner so truly disgraceful to him; and (said his lordship), notwithstanding your life is now saved, I fear that these wicked habits are so far rooted in you, that your existence will terminate in a *shameful spectacle*.

Among other things said by Barrington in his address to the court, the following is not unworthy notice:

“The world has given me credit for much greater abilities than
“I am conscious of possessing: the world should also consider that
“the greatest abilities may be so obstructed by the ill-nature of some
“unfeeling minds, as to render them nearly useless to the possessor.
“And where was the generous and powerful man to come forward, and say, you have some abilities which may be of service
“to yourself and the public, but you have much obstruction—I
“feel for your situation, and shall place you in a condition to try
“the sincerity of your intentions; and as long as you act with
“diligence and integrity, you shall not want for countenance and
“relief?”

“My Lord, the die is now cast; I am prepared to meet the sentence of the court with respectful resignation, and the hard fate that awaits me with becoming resolution.”

The prisoner then made a low bow, and retired from the bar.

Barrington was sent off from Newgate, Feb. 2, 1791, to embark for Botany Bay.

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FRANCIS FONTON, *for Forgery on the Bank of England.*

HE was a clerk of the Bank, and was charged with having signed a receipt for 47l. 12s. 6d. with the name of J. Pearce subscribed to it, and the date of which was May 8, 1789. It appeared to be a stock receipt, which the seller of stock, when he receives his money for it, gives to the buyer.

The indictment charged this offence upon the prisoner, as done with an intent to defraud William Papps. Another count, or way of charging it, was, that the receipt was forged with a view to defraud the Governor and Company of the Bank of England.

He was also charged with uttering and publishing this forged receipt, knowing it to have been forged with a view to defraud the said parties.

There were four other indictments against the prisoner, though he was only tried upon the first. The Jury found the prisoner Guilty.

The Recorder, previous to passing sentence, thus observed to him: "Fraud, which strikes at the credit and security of the Bank of England, has never passed unpunished. The policy of the state requires that the punishment, in a case of that sort, should be the most severe. A servant, for transgressing, can expect no mercy. I must, therefore, hope, prisoner, that your example will convince others disposed to offend in like manner, that no art nor cunning, no experience nor knowledge of the subject, no character, how imposing soever by that gravity which is supposed to attach on old age, will cover fraud from detection; and that, sooner or later, dishonest acts will lead to that disgraceful end which you are about to suffer."

He was executed before Newgate, at the same time with Storey, for a highway robbery; William Burbridge, James Sullivan, Joseph Page, Thomas Dunklin, for house-breaking; Thomas Tyler, the noted swindler, for forging and uttering as true, the acceptance of William Fielder to a Bill of Exchange, drawn on John Lindsey, No. 25, Gun-street, Spitalfields, value 10l. to John Philips, Esq. or order, dated Bristol, June 20, with an intent to defraud Mrs. Cockburn, of Stoke-Newington; Edward Ivory, James Smith, and James Røyer, for counterfeiting six-pences; viz. on the 24th of Nov. 1790.

The fate of Fonton will, we sincerely hope, be a caution to other men in respectable situations, not to pursue the baneful and illegal practice of insurance in the lottery, by which it is said, he sunk 3000l. When once a person embarks in it, he is urged on in hopes of retrieving his losses, and in the end plunges himself into difficulties, beyond the possibility of recovery. How many lives have fallen a sacrifice to this destructive passion for gaming, either by self-murder, or by public justice; and yet the evil seems every year increasing!

Account

Account of EDWARD LOWE, and WILLIAM JOBBINS, the Incendiaries.

EDWARD LOWE and William Jobbins were tried for feloniously and wickedly, on the 16th of May, 1790, setting fire to the house of Francis Gilding, in Aldersgate-street; in consequence of which, that and many others adjoining were consumed.

Flindall, the accomplice, said he had been acquainted with Lowe eight years, and with Jobbins nine months. On Sunday the 16th of May last, he was at the fire: the prisoners at the bar, with two other persons and himself, set fire to the premises. It was proposed to effect their purpose on the 12th, at Lowe's house, in Hartshorn-court, Golden-lane: Jobbins said, he had fixed upon Mr. Gilding's house to fire, rob, and plunder. They met at the Swan, in Cow-cross, the next evening, Barnard was there; the witness and Jobbins went to shew Barnard the house. They went through the inn-yard, and there was a cart unloading clover into a hay-loft, which Barnard pitched upon as the place to fire.

On Saturday, the witness met Barnard at the Sun, and proposed to set the house on fire that night. At five Jobbins came to the Sun, and Lowe came to them at eight; and at ten they went to Lowe's, when the wife brought in some spirits of turpentine; this they mixed with rags, which, with some matches, were put into a glove; Jobbins and the witness took some turpentine-wood in their pockets.

They ordered Mrs. Lowe not to go to bed, lest she should be wanted to help to take away the plunder. They went to the Nag's-head public-house, where they staid till past twelve, and went out each with a lighted pipe, in order to fire the matches. They went down Carthusian-street, when two pipes were broken: they then went to the back-gates of the Red-lion-inn-yard: Jobbins got over the gates, but broke his pipe; the witness followed, when finding the pipe extinguished, he put it through a hole in the gate to Lowe, who was without; and in the mean time Jobbins went down the yard and found a ladder, which he placed against the hay-loft door. Lowe then returned with the lighted pipe, and put it through the gate. The witness went down the yard with the pipe, and gave it to Jobbins with the matches, who went up the ladder with the pipe in his mouth, and the matches in his hand, which he lighted, and set fire to the combustibles placed amongst the clover. It soon blazed up; they got over the gate, and found Lowe waiting, who directed him to go and fetch Mrs. Lowe, which he did, and found her lying down in her cloaths. When they returned, the fire was burning rapidly. They found Lowe in the inn-yard bringing out boxes. They went into Mr. Gilding's room, and took a case, containing 24 silver spoons, threw the case away, and putting the spoons into a handkerchief, carried them to the house of Lowe, and put them in a cupboard under the stairs. The witness went to call Barnard, who came with him to the fire; when he saw the goods,

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he said, this is something like, indeed! Both of them went to get a cart, but could not get one. Lowe carried the drawers away upon his head towards Barnard's house, and desired the witness to follow, which he did into St. John's-street, where Barnard lifted them from Lowe's head to the witness's head; and in New Prison Walk he was taken into custody by Lucie, a patrol, with the drawers upon his head. Barnard walked off. When Lucie had secured the witness in New Prison, he went out and took Lowe into custody.

The witness was tried, and convicted of stealing the drawers; and, when in New Prison, got a man in the same ward to write a letter to Alderman Skinner, promising, on certain conditions, to discover the whole of this most horrid transaction; which being complied with, and his pardon obtained and pleaded in court, he was admitted an evidence against his accomplices.

The evidence of Flindal was confirmed in circumstances by Samuels, a Jew in Houndsditch, and his wife; to the former of whom Lowe had confessed his guilt. Being found guilty, they were both executed near the spot where Mr. Gilding's house stood, in Aldersgate-street, Nov. 20, 1790. Jobbins had been educated at St. Paul's school, was bred a surgeon, and only 19 years of age when he suffered. Lowe was about 23 years of age.

EDWARD WELSH, for the Murder of his Wife.

IT appeared, in the course of the trial, that the prisoner and his wife had lodgings near Dyot-street, St. Giles's.

That on Saturday the 4th of Dec. 1790, a quarrel arose between them, relative to some money. Many foul words passed between them, when Welsh, who was an Irishman, swore if she did not hold her tongue, he would soon find a way to make her. Unhappily, she still continued to aggravate him in the most abusive manner. Upon this he ran up to her, and giving her several blows, she fell. Whilst upon the ground, she screamed out Murder! in a violent manner. Enraged at this, almost to a pitch of madness, he drew his knife, and swore she should cry murder for something. He then ran up to her, and jamming the knife into the lower part of her belly, ripped her up a considerable way.

By this time the noise had drawn together several of the neighbours. Some of them attempted to go into the room, but he brandished his knife, and swore he would butcher the first who entered. Finding nothing but violence would do, they knocked him down with a bludgeon, and he was secured. A surgeon was immediately sent for, but proved of no use, the poor woman being dead. The facts being plain, and the prisoner having little to say in his defence, the jury found him guilty.

This criminal was born in the kingdom of Ireland, and got his living as a porter in Covent Garden market.

On Monday morning, Dec. 13, 1790, he was executed, in the presence of a number of spectators, calling upon the Lord to have mercy upon him, and receive his soul. His dead body was taken to Surgeons' hall.

Account of RYNWICK WILLIAMS, otherwise called the Monster.

THE indictment charged, that he, Rynwick Williams, on Jan. 18, 1790, with force and arms, at the parish of St. James, Westminster, in the king's highway, and in a certain public street, did unlawfully, wilfully, and maliciously, make an assault upon Ann Porter. The indictment further charged, that on the same day, and at the parish aforesaid, the prisoner at the bar did unlawfully, wilfully, and maliciously, tear, spoil, cut, and deface, the garments and clothes, to wit, the cloak, gown, and petticoat of the said Ann Porter, contrary to the statute, and against the king's peace.

The chief evidence, on this trial, was that of Miss Ann Porter, the injured lady, who was not chargeable with the smallest degree of inconsistency, even on her cross-examination. Her evidence was also confirmed by that of her sister, Miss Sarah Porter. After which Mr. Tomkins, the surgeon, proved that the wound which Miss Porter received was a very dangerous one indeed; that it was between nine and ten inches in length, and in the middle between three and four inches deep—at the ends only just through the skin; and, but for her stays, must have penetrated the abdomen: she must have been cut with a sharp instrument.

After a full and impartial hearing, the jury found the prisoner guilty.

Mr. Justice Buller then ordered the judgment in this case, and the recognizances of the persons bound to prosecute, to be respited till Dec. sessions. All the witnesses were examined separately.

At the commencement of the sessions at the Old Bailey, on the 10th of Dec. Judge Ashurst addressed the prisoner nearly in the following terms: "You have been capitally convicted under the stat. 6 Geo. I. of maliciously tearing, cutting, spoiling, and defacing the garments of Ann Porter, on the 18th of Jan. last. Judgment has been arrested upon two points—one, that the indictment is informal; the other, that the act of parliament does not reach the crime. Upon solemn consideration, the judges are of opinion, that both the objections are well founded; but although you are discharged from this indictment, yet you are within the purview of the common law. You are therefore to be remanded to be tried for a misdemeanor."

He was accordingly, on the 13th of the same month, tried at Hicks's-hall, for a misdemeanor, in making an assault on Miss Ann Porter.

The trial lasted 16 hours: there were three counts in the indictment, viz. for assaulting with intent to kill, for assaulting and wounding, and for a common assault.

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The charge was, that he, on the 18th of Jan. 1790, made an assault on Ann Porter, and with a certain knife inflicted on her person a wound nine inches long, and in the middle part of it four inches deep.

The same witnesses were then called, in support of the charge, as appeared on the trial at the Old Bailey: they gave a very clear, correct, and circumstantial evidence, positively swearing to the person of the prisoner.

The facts proved were nearly the same, with very little variation indeed with those which were given in evidence on his trial for the felony at the Old Bailey; for which reason we forbear to enter more fully on the trial.

The prisoner produced two witnesses, Miss Amet and Mr. Michelle, who attempted to prove a clear *alibi*; and the credit of their testimony was not impeached by any contradiction. The question therefore was, to which the jury would give credit; for the evidence was on both sides equally fair and unexceptionable.

The chairman made a most excellent summing up; the jury retired, and at half past two o'clock the next morning returned a verdict of Guilty.

The prisoner was again put to the bar at 10 o'clock the same morning, and tried on the remaining indictments, on three of which he was found guilty; when the court sentenced him to two years imprisonment in Newgate for each, and at the expiration of the time to find security for his good behaviour, himself in 200l. and two sureties in 100l. each.

Account of the Trial of Lord Viscount DUNGARVAN, Son to the Earl of Corke.

THE indictment charged his lordship with the capital offence of stealing privately from the person of Eliz. Weldon three guineas and an half, on the evening of Wednesday, Jan. 13, 1791.

The prosecutrix swore, that she was at the play on Wednesday night, and was handed out by a gentleman to a hackney coach. When about half way home, she felt his hand at her pocket; and discovering her loss, charged the gentleman with having picked her pocket. When they got out of the coach, she said, that, on accusing him with the theft, he offered her a guinea to let him go. She answered, he should not; and, if he offered to go, she would call out, Stop thief! That he then ran off: she pursued him; called out, Watch! and stop thief: in consequence of which he was taken to the watch-house, where she charged him with the felony in question.

William Whitebroke and Robert Boyce proved, that the prosecutrix had lodged in their houses; and that she was a woman of such a loose and disorderly character, that they were obliged to get rid of her.

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Many other witnesses were called in behalf of his lordship, who invalidated the facts sworn to by the prosecutrix. Among these were the link-man and the coachman, who invalidated the evidence of the prosecutrix in very material points, and rendered her testimony of no avail.

Mr. Sheppard, the attorney for the defendant, also gave his testimony as to what passed in the parlour of the magistrate, and also contradicted the testimony of the prosecutrix. Mr. King, the barrister, confirmed this. The testimony of several other witnesses left not the smallest doubt upon any person in court of the abandoned character of the prosecutrix, of the iniquity of the prosecution, and the innocence and honour of the noble lord.

A great many of the first characters in the kingdom also attended, among whom were his Grace of Devonshire, duke of Portland, &c. to give the defendant the most amiable and honourable character, if the case should require it.

The jury, clearly perceiving the complexion of the prosecution, and being convinced of the perfect innocence of the defendant, pronounced him Not Guilty.

The learned judge addressed his lordship in these words:

"My lord Dungarvan,

"It is but justice to you to say, it is impossible you can go away from this bar with the smallest imputation on your character. Of your imprudence in this business, you seem to be already very sensible."

The trial lasted near six hours. When the defendant was found Not Guilty, there was an universal shout of approbation, and the prosecutrix was hissed out of court, and with great difficulty escaped feeling the effects of the people's resentment.

BARTHOLOMEW QUAIN, *for Murder, in the Isle of Ely.*

HE was tried and convicted at the assizes for the Isle of Ely, Cambridgeshire, for the wilful murder of Ann his wife. He was brought from the King's Bench prison, and placed at the bar, when Mr. Plumtree, counsel for the crown, stated the circumstances of the case, and contended that the fact, of which the prisoner had been found guilty, amounted to the crime of wilful murder. He said that the jury, under the direction of the chief judge of Ely, had found a special verdict, in order to take the opinion of the court of King's Bench upon the following question, viz. "whether the facts found by the jury amounted to murder, or only to manslaughter?" The circumstances of the case, as proved upon the trial, were these:—The prisoner and his wife came out of a house together in the Isle of Ely. They appeared to have been quarrelling. The prisoner had one of his children in his arms. His wife sat herself upon the ground, and then rose and walked. The prisoner followed her, and gave her

two or three kicks, upon which she shrieked out and ran away; he pursued, and kicked her again; in consequence of which she fell upon the ground: he then retired a few paces, returned to her again, and, while she lay on the ground, he gave her several more kicks; she then got up, when he kicked her down again; the deceased then said, "You have killed me." A woman, hearing her shrieks, remonstrated with the prisoner against his conduct; upon which he said he would serve her the same. The deceased then arose, struggled, fell down, and died. The prisoner, upon finding she was dead, expressed great sorrow. It appeared that her spleen had burst, and the indictment stated that of this she died, and that it was occasioned by the kicks and blows given her by the prisoner. The whole lasted near half an hour.

Mr. Plumtree cited a number of cases, to prove that the offence of which the prisoner had been convicted amounted to wilful murder. To constitute murder, the law said, there must be malice expressed or implied. Barbarity always implied malice. If one man cruelly beat another without provocation, although he did not intend to kill, yet the law would imply a malicious purpose, and if the party died it would be murder. He made many apposite remarks upon the case in question, and contended that it clearly amounted to murder, according to the opinions of Lord Hale, Mr. Justice Forster, and other great legal authorities.

The Court were clearly of opinion, that the facts proved against the prisoner amounted to murder. There appeared to be no provocation on the part of the deceased; and no man had a right even to inflict chastisement, without a just provocation. It was not necessary to prove express malice, to constitute murder. If one person provoked another to chastise him, it must be done with moderation, and with a proper instrument, otherwise the law would infer malice.

He was executed at Kennington, on Feb. 7, 1791.

JOHN ETHERINGTON, and JOHN RANDALL, for Robberies, &c.

JOHN Etherington was indicted for feloniously returning from transportation, before the term for which he was transported was expired, and being at large within this kingdom.

On the part of the Crown it was proved, that the prisoner had been sentenced to be transported for seven years, from the year 1787. The record of his conviction being produced, and his person identified by one of the persons belonging to Newgate, he was therefore found guilty.

He was again indicted for breaking and entering the dwelling-house of the Baron Wenzel, in Sackville-street, on the first of December, 1790, and stealing therein a counterpane and a silk cloak, value £-1.

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The Baron being in France, the prisoner, in company with another man, genteelly dressed, came to the house on the first of December, under pretence of taking it, and went up stairs with the house-keeper, to view the different rooms.

On their coming to the garret, she missed the other person who came with the prisoner, which raised her suspicion; and, on their coming down stairs, the parlour-door, which she had left open, was shut, and the street-door half open. The house-keeper immediately seized the prisoner, and shutting the street-door, insisted on his giving an account of the other man who had come with him; on which a scuffle ensued, and the prisoner, in order to effect his escape, struck her several times, and cut her in a desperate manner.

She cried out murder, and alarmed the neighbourhood, when two servants from the next house came to her assistance, and secured the prisoner.

These facts being fully proved by the house-keeper, the jury, without hesitation, brought in their verdict guilty.

This criminal was born of reputable parents, who gave him a decent education, and placed him as an apprentice to a saddlery-maker. Being out of his time, he fell into bad company, and committed a felony, in which being detected, he was sentenced to be transported. Finding means to return, he renewed his depredations, which brought him to the gallows.

Whilst under sentence of death, he behaved in a penitent manner, having little hopes of mercy, as the judge, immediately after his conviction, bid him prepare to die, as his crimes were enormous.

He was a decent looking man, about 30 years of age.

JOHN RANDALL was cast for breaking into the house of George Telfer, and stealing a pair of cotton stockings, a cotton petticoat, a muslin handkerchief, half a crown, some halfpence, &c.

On the trial, the facts were plainly proved against the prisoner, who being an old offender, was ordered for execution.

During the time he lay under sentence of death, he behaved in a very penitent manner.

He had received but a very indifferent education, and was under the necessity of requesting his fellow-prisoners, and others, to read and to pray with him, for which he appeared exceedingly thankful.

Particularly did he desire every one to take warning, by his unhappy fate, to avoid drinking and Sabbath-breaking, thus had company, fear God, and obey their parents.

These two malefactors were executed on Feb. 23, 1791.

It may not be improper to insert here some particulars relating to Soze de Souza and Thomas Herbert, two criminals, who were condemned with the preceding malefactors, but were respited previous to the time of execution.

SOZE DA SOUZA, a Portuguese Jew, was capitally convicted of privately stealing, in the dwelling-house of Gregory Lucy, twenty-four guineas, a crown-piece, and a silver watch, his property.

This criminal was born in the kingdom of Portugal, and had followed a sea-faring life till he came to England, where he committed the fact for which he was condemned. While under sentence of death he behaved in a very reserved manner, yet appeared in general greatly shocked when he reflected on his awful situation. Being of the Roman catholic religion, he was attended during his confinement, and in prospect of a speedy execution, by one of the priests of that persuasion. He owned he was guilty of the crime for which he expected to suffer death; and confessed, that, from his youth, he had been addicted to pilfering.

This unhappy man affords an instructive caution to other young people that are thievishly inclined, not on any account to invade and purloin the property of others; inasmuch as one bad action, how small, soever, commonly tends to harden the conscience, and lead unthinking mortals to greater, till destruction closes the fatal and melancholy scene. The following useful lesson, therefore, well learnt, and deeply impressed on the mind, will be an effectual preservative against all dishonest practices, namely, "Avoid the least appearance of evil."

THOMAS HERBERT was cast for burglariously entering the dwelling-house of Dennis Dolan and John Magaurin, and stealing a metal candlestick, value 3 s.

This malefactor was born of honest parents, who did every thing in their power to induce him to walk in the path of virtue; but his own evil propensities rendered all their endeavours ineffectual. He was not bred to any business, but had lived in several places, having been employed to look after horses, &c. He had so little fear of dying for the crime he had committed, that, previous to his trial, he entertained the greatest hopes of being acquitted.

While under sentence of death he behaved in a decent manner, but was rather too cheerful for one in his dreadful situation. He continued for some time confident of receiving a respite; but when the dead warrant came down, and he found himself ordered for execution, it is impossible to express the horror of his mind. But the night before he was to be executed, his Majesty extended his royal clemency to him by a respite. It is hoped a serious reflection on the destructive consequences he had experienced from pursuing evil courses, will prove a means of his reformation in the future part of his life. He was only about 21 years of age, and being low in stature, had a boyish look.

*Account of EDWARD PRITCHARD, and CHARLES TAYLOR, for
Murdering their Wives.*

EDWARD Pritchard, by profession a farrier, lived in Hosier lane, West-Smithfield. On the trial, several witnesses swore, that, on the night the murder was committed, they heard the deceased cry out in a violent manner, and that her husband was beating her. On entering the house, they found the poor woman in such an alarming situation, that it was judged necessary to send for a surgeon.

In the mean time the deceased gave a short account of the cruel manner in which she had been treated, and soon after expired.

The body of the deceased being examined, it was found she had received a violent blow on the back of her head, the skull was beat in, and she bore the marks of terrible bruises, from her head down to her hips. The surgeon declaring she died of the wounds she had received, the jury found him guilty.

CHARLES TAYLOR was also indicted for the murder of his wife, at their lodgings in St. Catherine's. He was a fellowship porter, and waterman. On the night the murder was committed, the prisoner and his wife quarrelled, but went to bed, and some more words arising between them, in consequence of jealousy, Taylor with a knife cut her; on which she jumped out of bed, and ran to the window. He followed, and with a razor cut her across the belly, thighs, arms, &c.

The watchmen being alarmed, he was taken into custody, and every assistance afforded the poor woman: she gave a clear account of the manner in which she had been treated; and, after continuing eight hours in great agony, expired. The prisoner, in his defence, endeavoured to prove insanity; but the jury, after a short consultation, found him guilty.

These unhappy men were brought out of Newgate about eight o'clock, and, after a short time spent in prayer, and imploring pardon of God for the crimes committed by them, they were launched into eternity, in the presence of a vast concourse of spectators, who would no doubt have been happy in extending their compassion to the unfortunate criminals, but for the savage cruelty which accompanied the perpetration of the facts for which they justly suffered.

They were executed April 18, 1791, and their bodies were delivered to the surgeons, to be dissected, pursuant to the act.

Into what dreadful evils do numbers of the human race plunge themselves for want of timely consideration! whereas, were they duly to reflect on the enormity of this crime in particular, so odious in the sight of God and men, they would shudder at the very thought of committing it; and the happiest effects are known to follow a laudable resistance to the first motions of anger arising in the breast, which, on the contrary, when cherished and encouraged, too frequently terminate in murder.

Account

Account of the Crimes and Execution of WILLIAM BATES, STEPHEN MACKAWAY, EDWARD GILILKEY, WILLIAM BROWN, JOHN DAWSON, THOMAS UNDERWOOD, JOSEPH WOOD, and ISABELLA STEWART.

WILLIAM Bates, Stephen Mackaway, and Edward Gililkey, were tried, and condemned to die, for feloniously assaulting Robert Adair, Esq. Emilia Bristow, and Elizabeth Dundas, on the Edmonton road, June 2d, and robbing them of a gold watch, a ten pound Bank note, a silver gilt watch, a gold-chain, and twenty guineas.

During the short time they lay in the condemned cells, they appeared but little concerned; but when the death warrant came to Newgate, and they found they must so soon die, the daring courage they had seemed to possess forsook them, and they shed tears.

William Brown and John Dawson were cast for robbing Mr. Maddocks near his own house, the bottom of Highgate-hill, of seventeen guineas and a half, some silver, his hat, and three keys. When all hopes of transportation failed them, they prepared to meet their awful fate, and wished all soldiers would be warned to shun their practices.

Thomas Underwood, aged 14; and Joseph Wood, only 14; were cast for robbing a lad 12 years old, of a bag containing a jacket, shirt, and waistcoat. They used the boy exceeding ill, and, if not prevented, 'tis thought, would have murdered him. These young, though most daring offenders, had long trod in the paths of wickedness, in connection with a gang of footpads, pickpockets, and other villains; insomuch that, being convicted on the clearest evidence, it was deemed requisite to cut them off, as a caution and terror to other ill-disposed youths.

Isabella Stewart was capitally convicted for stealing, in the dwelling-house of John Goodman, a 50l. Bank note and 21 guineas, the property of Elizabeth Morgan. When called to the bar to receive the sentence of death, she delivered a petition or remonstrance to the court, which mentioned the King's proclamation, published in the year 1787, against vice and profaneness, and stated, that as it bore relation to the laws of God alone, those laws did not ordain that offenders, for theft only, should lose their lives or liberties (See *Exod. xxii.*). It stated many similar arguments, which, of course, could have no weight with a Court of Justice, who only sit to try criminal causes, according to the established and well-known laws of this country. This unfortunate convict was a good looking woman, and about forty years of age. From the day of receiving sentence she took on greatly; and when the dead warrant came down, and she found herself ordered for execution, burst into an agony of grief.

These eight malefactors were executed, before Newgate, on July 6th, 1791.

Most of the above male convicts were stout young men, and, by a regular and virtuous conduct in life, might have been useful and even ornamental branches of society; but alas! idleness, gaming, drinking, and the company of lewd women, urged them to commit those crimes which rendered them pests to society, and brought them to an untimely and disgraceful end. Happy for the rising generation, if they would consider these things; and be advised, when in the prime of life and health, to walk in the ways which lead to present comfort and everlasting felicity!

Various Crimes, Convictions, and Execution of JOHN MEAD, CHARLES CLARK, PIERRE or PETER DEVAL, THOMAS GODFREY, JOHN SMITH, DAVID RANGO, JOHN FINCH, and JOSEPH HUNT.

JOHN Mead, 16 years of age, was found guilty of wilfully and maliciously setting fire to the house of Walter Carvadine, his master, who kept the Wheat-Sheaf, in Red-Lyon-Street, Holborn, in the night of the 5th of July; of which nefarious act full proof was made, and the prisoner's own confession produced in court.

Charles Clark was convicted of stealing a considerable sum in the house of Charles Maits, and afterwards breaking out of the same.

Pierre, alias Peter Augustine, alias Chumley, alias Chapman, alias Deval, was capitally convicted of stealing, in the dwelling-house of Mrs. Smithie, on May 31, goods, &c. to the value of 2000l. the property of Alexander Delarade, a French gentleman. The prisoner had contracted an intimacy with Mr. Delarade, went with him to the play, left him there, and immediately after went to the lodgings, and carried off all the property in a coach. He was apprehended at Bristol, and the greatest part of the goods recovered.

Thomas Godfrey and John Smith were tried and cast for robbing John Mazinjay on the highway, June 21, near Endfield.

David Rango, John Finch, and Joseph Hunt, were cast for robbing Isaac Gillet, on the highway in Newgate-street, of a leather pocket-book. The prisoners were part of a gang of pick-pockets. In the scuffle, they knocked down Mr. Gillet, beat him violently, and broke his leg. Finch was very active in assisting the pickpockets.

They were all executed on the 31st of August 1791.

This presents a melancholy picture of eight more souls launched into eternity, and, we fear, with all their sins and imperfections on their heads; for it is a solemn and awful truth, that as the tree falls, so it will lie for ever; and as death leaves us, judg-

ment will find us: of what importance, therefore, is it so to pass along the stream of time, as to secure a happy eternity, and, by a truly christian life and deportment, to escape that misery from whence there will be no redemption.

FRANCIS HUBBARD, *alias* NOBLE, *for Murder.*

THIS unhappy criminal was convicted, upon full evidence, for the wilful murder of Jordan Hosty, on Saffron-Hill, Holborn, Feb. 16, 1792, by stabbing him with a knife. He was indicted together with James Jones, James Armstrong, John Bailey, James Savage, Peter Douglas, James Frere, and John Caryll, as accessaries; but the charges against these latter being for inferior crimes, though of a dangerous nature, they were detained for trial at a future time. The death of Hosty was attended with very aggravated circumstances of cruelty, as Hubbard had the barbarity to tread on his head and breast, till at length the poor man was dragged into the house of Mr. Carey, who was ill-treated for protecting him; till, after many kicks, bruises, and the stab the miserable victim received, it was found necessary to convey him to the hospital, where after a few days he died.

He was executed April 2d, 1792.

It is an irreversible law of the God of Nature, that "who so sheddeth man's blood, by man shall his blood be shed." This horrid act was the effect of drunkenness, which first produced madness in the minds of this wicked man and his associates, and terminated in murder. Let the drunken and passionate take warning by Hubbard's fatal catastrophe.

ROBERT ANDERSON, *who suffered Death for the Murder of*
Susanna Dell.

ON May 25, 1792, Anderson was tried, with one Matthew Goodall, for the wilful murder of Susanna Dell, on the 6th instant, by giving her a mortal stab with a knife, under the left breast, of which wound she soon expired.

It appeared by the evidence for the prosecution, that the deceased was married to one Dell, a sailor lately returned from sea; but that she cohabited with Anderson, and they lived together in a house in Newton's-lane. On the fatal evening, about six o'clock, Dell went to his wife's lodgings; where Anderson and Goodall were, who had declared vengeance against Dell, because he had prevented them, in the course of the day, from picking a gentleman's pocket in Holborn: a quarrel soon arose; Anderson and Goodall drew their knives; the deceased got between them, and begged them not to kill her husband; on this, Anderson stabbed her under the left breast; Dell ran to the window, and called out, Murder! some people went up stairs; they met the

prisoners coming down, with knives in their hands; the deceased was bleeding terribly, and soon after expired.

The prisoners ran into Drury-lane, and cut a soldier that attempted to secure them; at length they were secured, and taken before a magistrate, for committing the assault upon the soldier, and, whilst there, the charge of murder came against them, and they were both committed for trial.

The evidence for the prosecution being closed, the Court called upon the prisoners to make their defence; they had little to say, except denying their guilt of any intention to murder.

The Jury, after a short consultation, found Anderson Guilty. Goodall they acquitted; but he was detained, to take his trial for the assault committed at the time of his being apprehended.

Anderson's behaviour was penitent, but he seemed greatly shocked at his unhappy fate. He was a young man, of a decent and honest family, but was ruined by associating with wicked and abandoned companions.

He was executed on the 28th of May 1792.

"Evil communications corrupt good manners." One species of wickedness is frequently followed by another; till, after a series of crimes, misery and ruin overtake the guilty and profligate.

An Account of the criminal Acts of WILLIAM RANDALL and JAMES LEMAN BAKER, GEORGE SMITH alias SWALLOW, THOMAS GORTLEY and WILLIAM CROPPER, for which they suffered Death.

WILLIAM Randall, and James Leman Baker, were tried and cast, for feloniously entering the dwelling-house of Thomas Gibbons, and stealing property to the value of one hundred pounds, and upwards.

Mr. Gibbons deposed, that on Easter Sunday, about ten at night, he heard a noise at the door, and supposing it occasioned by some customers, opened it; immediately four men rushed in, their faces disguised, and threatened to blow his brains out, if he made the least noise; they then tied him, took out of his pockets one guinea and a half, and his silver shoe buckles.

The prosecutor's house was called the Folly, situated near Black-wall.

They rifled it of every thing valuable, took nine gowns, a mourning ring, some silk handkerchiefs, a silver watch, and several guineas out of a bureau.

After staying in the house for several hours, eating and drinking, they went off.

These unfortunate malefactors acknowledged themselves guilty of the crimes for which they were hanged, and also of being concerned in perpetrating many others; but hoped to be forgiven, through the intercession of Jesus Christ.

George

George Smith, alias Swallow, was cast for forging a power of attorney, with intent to receive the wages due to Edward Clark, a mariner. He was convicted principally upon the evidence of an accomplice, who, in consequence of a quarrel, impeached him—a proof that friendship without honesty cannot long exist.

The wretched criminal, who thus fell a victim to his fraudulent intentions and folly, was a frequenter of St. Catharine's, and well known to the infamous women who infest that quarter, seeking, like land sharks, to devour the hard earned wages, and spread contagion through the bodies of the unwary seamen, who, having escaped the dangers of storms and shipwreck, fall a prey to vice and artful infamy.

From the time of his conviction, he entertained but little hopes of getting his sentence mitigated, but yet was greatly shocked when the hour of his dissolution approached. The justice of his sentence he did not deny, but seemed to think it hard that those who were equally concerned in the guilt should escape punishment, and he alone suffer.

Thomas Gortley was cast for personating David Ramsey, a proprietor of 2300l. in the *Three per Cent.* Bank Annuities, and thereby endeavouring to receive the interest due thereon. He was convicted upon the most clear and positive evidence; and, having little to say in his defence, the jury were under the necessity of finding him guilty, without having it in their power to recommend him to mercy, forgery being a crime of so injurious a nature against men of property.

William Cropper, alias Cooper, received judgment of death for breaking and entering the dwelling-house of John Bateman, and stealing a large quantity of silver and gold plate.

The prosecutor kept a very large silversmith's shop, near Red-lion-street, Whitechapel; the prisoner and others, broke into the shop, and stripped it of every thing valuable. The thieves got in, by breaking open an adjoining cellar, which is at the back of the house, and from thence forced their way into Mr. Bateman's cellar, and going up stairs, got into the shop, which they stripped.

Part of the property was found in the possession of Cropper, who was an old offender, and had been tried several times. Articles, to a great amount, were never recovered by Mr. Bateman, who was found to be a considerable loser by their villainous transactions.

This criminal was upwards of forty years of age, and had been long known to be the abettor and accomplice with a numerous gang of plunderers. Whilst he lay under sentence of death, he behaved in a decent manner, but was much shocked at his approaching dissolution.

The above malefactors were tried in May sessions, and executed July 18, 1792.

When persons become habituated to iniquitous modes of living,
bad

bad company and examples soon render their case desperate. The inordinate and unlawful acquisition of money from the plunder of the sober and industrious public, by robbery, fraud, and infernal cunning, tends to harden their minds in vice, till in the end they are immersed in present destruction, and many of them, it is feared, in eternal perdition.—Punishment follows sin, as the shadow the substance.

Account of the Trial and Execution of ROBERT HOUGHTON, JAMES KING KEELING, RICHARD LIGHTOWLER, and WILLIAM MEAD.

ROBERT Houghton, a notorious pickpocket, was tried for assaulting Mr. James Perry, and robbing him of a gold watch, a gold chain, and a steel chain, his property.

This criminal attempted to pick the pocket of the prosecutor, who endeavouring to prevent it, the prisoner made use of force, which constituted a street robbery. Mr. Perry, who is an attorney, being in company with another gentleman, they were attacked in the street by a set of pickpockets; they got Mr. Perry's gold watch out of his pocket, on which he laid hold of one of them. Houghton then came up to Mr. Perry, and cut him.

Mr. Perry quitted the person he had hold of, and secured Houghton, who, being taken before a magistrate, and the fact, upon the trial, afterwards fully proved, the jury found him guilty.

The unhappy prisoner, on being taken from the bar, was so dreadfully shocked, that had not a temporary assistance been afforded, he would have sunk under the weight of his affliction. Whilst under sentence of death, he behaved very penitent, but flattered himself with the hopes of a respite, which his friends tried every effort in their power to obtain. But street robberies are become so frequent and daring, that Government has declared they will not pardon any one convicted of that offence. When the warrant for his execution arrived, he was overwhelmed with woe, to so great a degree, that it almost amounted to despair.

James King Keeling, was tried and condemned for breaking and entering the house of Humphrey Howorth, and stealing therein a large quantity of plate, his property.

This convict, who was a daring house-breaker, was convicted upon clear and positive evidence. While under sentence of death, he appeared but little to grieve, flattering himself with the hopes of getting his sentence changed from death to transportation; but on the arrival of the dead warrant he was much shocked, and shed abundance of tears.

He owned he had been a great offender against the laws both of God and man, but hoped for pardon and remission of his sins thro' the merits of Jesus Christ.

Richard

Richard Lightowler was convicted of feloniously uttering and publishing, knowing it to be falsely forged and counterfeited, a certain order for the payment of 96l. drawn in the name of George Hardinge, Esq; upon the house of Messrs. Hoare and Co. who are capital bankers, and whom he meant to defraud.

In evidence it appeared, that Mr. Hardinge had dealings with the above-bankers; the prisoner came to their house, and presented the draft. On inspection, it was discovered to be a forged one; therefore they, in consequence of this discovery, secured him.

In his defence, he said, that he received the draft in the course of trade. This defence not being supported by any witnesses, the Jury gave but little attention to it, and after a short consultation, found him guilty.

William Mead, was cast for feloniously stealing a black mare, value twenty-one pounds, the property of Mr. John Wakefield.

This criminal was cast upon the clearest evidence. He was bred to husbandry, but had long followed bad courses, and was known to be connected with a gang of horse-stealers.

They were tried in July, and executed in August 1, 1792.

These unhappy men were brought to this shameful end, by addicting themselves to idleness, extravagance, and debauchery, the sure road to ruin.—Lightowler, in particular, was said to have been born of creditable parents, who gave him a good education, by which, if properly applied, he might have gained an honest and genteel livelihood.—But what numbers are there of this depraved sort, who, by their bad practices, and unhappy deaths in consequence, bring down the gray hairs of their worthy parents with sorrow to the grave! May the rising generation be warned in time, before repentance comes too late!

WILLIAM WINTER, JANE CLARKE and ELEANOR CLARKE, *two Sisters, for Murder.*

THESE unhappy wretches were found guilty of the murder of Margaret Crozier, of the Raw, near Elsdam, in the North part of England. Winter acknowledged the justice of his sentence, but both the girls denied having been concerned in the murder.—The father and brother of Winter were hanged at Morpeth in the year 1790; and such has been the horrid depravity of him who now suffered, that he has not been at liberty six months together during the last eighteen years. The trial lasted upwards of sixteen hours.

They were executed August 10, 1792, without the West Gate at Newcastle.

The girls were afterwards carried to the Surgeons'-hall for dissection, and Winter to be hung in chains, near the place where the crime was committed.

Account

Account of the Trial and Execution of JOSEPH LORRISON, alias JUMPING JOE, JOHN NUTCHER, and PHILIP GEORGE, for Footpad Robberies.

JOSEPH Lorrison, alias Jumping Joe, was cast for assaulting James Dixon, and robbing him of his watch and money. This criminal was 53 years of age, and by trade a cooper.

When apprehended for this robbery, he was drest in a smock frock, and the prosecutor could not then swear to him, but on his putting on a coat, which was found in his room, he then swore positively that he was the man who robbed him. Before and after conviction, however, he in the most solemn manner denied his guilt. He was born in the county of Surrey, and resided for several years in the Borough, where he has been long known as a daring and atrocious depredator.

It is said, that he has been tried near thirty times, for various offences; once for the murder of a watchman, and though acquitted, from the evidence not being sufficient, was in general supposed to be guilty, and that he obtained the appellation of Jumping Joe, from his dexterity in jumping into carts, waggons, &c. in order to rob them.

John Nutchter, for committing the above robbery with Lorrison, was also cast for death. He was twenty-six years of age, by profession a waterman.

This convict was ruined by keeping bad company, and getting acquainted with Jumping Joe, and committed several robberies with him, which brought him to the gallows. However, he behaved in a penitent manner, and much lamented the wicked life he had led, hoping that every one would take warning by his shameful end.

Philip George, was tried and cast, for assaulting Henry Merton, at Bermondsey, and robbing him of a silver watch, and a metal key.

This unhappy criminal was twenty-five years of age, and by profession a labourer. He behaved in a resigned and penitent manner,

These malefactors were tried at Guildford, Surrey, on the 8th of August, and executed at Kennington-Common, August 24, 1792.

Theft, robbery, and the like, are of a contagious nature, and the perpetrators too often glory in their shame. We are told that the wife of Lorrison seemed to be versed in her husband's vile business; as she said at a public-house, since his confinement, "If it was not for the *Flats*, how would the *Sharps* live?" We answer, By exercising sobriety, industry, and honesty; which those who do, prove, that they are the only wise, and live and die most happily.

Particulars

Particulars concerning JOHN DAY, of Dereham in Norfolk, who barbarously murdered his Father and Mother, and their Maid-servant.

THIS inhuman monster, having been one night in bad company, especially of lewd women, surfeiting in drunkenness, came home, swearing and cursing vehemently, requiring money of his sorrowful, terrified parents, who laboured to pacify him with good words, intreating him to go to bed, and sleep that night; and if it appeared in the morning, when he awaked, that he wanted money, he should have it; little thinking that they nourished a viper in their bosom, to sting them to death.

About midnight this graceless son, being come a little to himself, got up with a murmuring mind, and getting softly into the bed-chamber of his parents, drew a large knife out of his sheath, and cut his aged father and mother's throats. After which desperate wickedness he remembered the maid-servant, who lay in the loft above, and that she might not come as a witness against him, he went softly up, and finding her asleep, ravished her, and then cut her throat from ear to ear.

Then musing upon the horrid villainies he had committed, the devil put it in his head to set the house on fire, when he had plundered what he thought fit, that, the dead bodies being consumed, it might be thought to have been by accident, and he not be suspected.

But God, who never suffers such monsters in wickedness to go unpunished, even in this world, brought the discovery to light: for though he denied to have been at home that night, and seemed wonderfully sorry at the surprising misfortune, as he termed it, yet living very profusely, and having spent all his money, he was forced to sell the plate he had stolen, which being stopped, upon examination he confessed the fact. Upon which he was sent to jail, where he remained very sorrowful, and he affirms the ghosts of the murdered persons appeared to him in frightful shapes, pointing to their ghastly wounds, and in a threatening manner summoning him to appear at the dreadful tribunal of Almighty God, to answer for their innocent blood, that cried for vengeance against him.

After he had some time lain in this sorrowful condition, his trial came on; when he pleaded guilty to his indictment, saying, his youthful sins had brought this heavy judgment upon him, declaring before his sentence he desired to die, as not being fit to live. The court exhorted him to a serious repentance of his sins, and to pray to God to deliver his soul from blood-guiltiness. He promised to do what in him lay. And a minister was ordered to attend him, and give him ghostly consolation, the short remainder of the time he had to live.

The minister who visited him prayed earnestly with and for him,

him, that God would look down in mercy upon him; and wash his sin-polluted soul from blood-guiltiness in the precious blood of the Lord Jesus. The same minister attended him to the place of execution, which exhibited a very affecting scene: here he burst into tears, and advised all young persons to beware of sabbath-breaking, drunkenness, swearing, and whoredom, as they valued their peace here and hereafter.

He was executed at Kennington-Common, about the middle of September 1792, and afterwards hung in chains near the bloody spot.

We need only add our earnest wish that youth in general may avoid those sinful practices above recited, which brought him to a shameful and untimely death; and that they will shun as a pest-lewd woman, who are a complication of evils, and communicate their baneful influence to all connected with them.

Account of the Trials and Execution of **RICHARD HANNIFORTH, JOHN SMITH alias IRETON, THOMAS STICKS alias WEED, WILLIAM WANE, JOHN and THOMAS COOK,**

RICHARD Stanniforth, was indicted and cast, for feloniously stealing out of a certain letter, which had come into his hands, by virtue of his employment as a letter-carrier in the General Post, a bill of the value of ten pounds, belonging to Mr. Scarborough, Mr. Scarborough, who resided at St. Neot's, Huntingdonshire, sent on the 7th of August, 1792, a Cambridge bank note, directed to Mr. Carlisle, No. 73, Great Jermyn-street; this letter being given at the Post Office to the care of the prisoner, he opened it, took the note out, bought some lamb at a butcher's, and there changed it, converting the money to his own use.

John Smith alias Ireton, was cast for robbing Mr. James Lewin, near the turnpike, Islington, on the 4th of August 1792, of a silver watch, a chain, and a shilling. He struck at Mr. Lewin with a cutlass, which cut him through the hat, and wounded him in the forehead.

Thomas Sticks alias Weed, was convicted for assaulting Mr. Frederick Calby on the highway, and robbing him of a shirt. He first knocked down the prosecutor, and then took the shirt from him.

William Wane, was cast for breaking into the house of William Robinson, Esq; of Broad-street and stealing plate, money, &c. to the value of 250l. and upwards. He was found guilty upon the evidence of Monk, an accomplice.

He owned himself guilty of the crime for which he was to die; and though he exceedingly blamed the accomplice upon whose evidence he was cast, yet he said, he forgave him, and all his enemies. He was a young man, in the prime of life.

John Cook and Thomas Cook, were cast for a burglary in the house of Mr. Thomas Davis, and stealing a handkerchief, a pair of stockings, and a quantity of halfpence, to the value of seven pounds.

These two unhappy criminals, who were brothers, were cast upon clear and positive evidence. The prosecutor kept a coal-shed in Chick-lane.

Being in age but boys, they had hopes of receiving mercy, but as they were known to be old offenders, and connected with the gang who murdered Hosty, on Saffron-hill, a few months before, the safety of the public demanded their forfeit lives.

These malefactors were tried in October sessions, and executed October 31, 1792.

Such unhappy persons as the above recorded, who heedlessly precipitate themselves into ignominy and ruin, may be fitly compared to a flock of silly sheep, which passing through a lane, at length, following each other through an opened hedge, leap from the passage into a deep water on the other side, where they are all inevitably drowned. Such is the prevalence of bad examples, and such their awful effects!

Some Account of the Trials and Execution of THOMAS RADLEY, JOHN BROWN, WILLIAM GRAHAM, JOHN BONUS, PHILIP DAVIS, and THOMAS FOWKES.

THOMAS Radley received sentence of death, for feloniously assaulting Mary-Ann Thellusan on the highway, and robbing her of a gold enamelled repeating watch, with a diamond in the pendant, and some money.—This convict was an old offender. Before the arrival of the dead warrant he appeared very undaunted, but when he found himself ordered for execution, he prepared in earnest for the awful scene then before him.

John Brown and William Graham were cast, for feloniously assaulting Richard Taylor on the highway, on the 24th instant, and robbing him of a watch, value 5s. and two guineas and a half in gold.—Gaming, idleness, and drinking, they declared to be the cause of their coming to so untimely an end. Whilst under sentence of death they behaved in a becoming manner; and when ordered for execution, wept bitterly, and prepared to meet their awful and most deplorable fate.

John Bonus was sentenced to die, for feloniously counterfeiting a receipt of 127l. 11s. 7d. in the name of George Smith, purporting to be subscribed by him for himself and his partners, Edward and Runney Payne, with an intent to defraud these gentlemen.—This unfortunate convict was born of creditable parents, from whom he received a genteel education, but being fond of an idle

and extravagant life, committed the before-mentioned crime for which he was executed.

Philip Davis was executed for feloniously assaulting Edward Peterfon on the highway, putting him in fear, and taking from his person, against his will, one guinea and a half, his property.—

This wretched convict had long subsisted by committing depredations on the public, until overtaken by the hand of justice; when, alas! he too late saw the errors of his past life. He begged every one to take warning by his fatal end, and avoid idleness, drinking, gaming, and the company of lewd women, which had been the cause of his coming to such a dreadful and untimely end.

Thomas Fowkes received sentence of death, for feloniously assaulting William Dunn on the highway, beating him in a cruel manner, and robbing him of twopence halfpenny.

They were tried in November sessions, and executed, Dec. 26, 1792.

Oh that men were wise in time, that they would shun the paths of error and ruin, that they would consider their ways, and tread the narrow way that leads to happiness and peace!

The Trials and Execution of HENRY GRIFFIN, *alias* GEORGE HOBART, *alias* the DUKE of ORMOND, *alias* LORD MASSEY, THOMAS MONTAGUE GLOVER, THOMAS HENLEY, GEORGE RANKIN *alias* GOODALL, ABRAHAM MAHEW, WILLIAM BATEMAN, FRANCIS POPE, and ISAAC MOORE.

HENRY Griffin was indicted for feloniously forging, uttering and publishing as true, a certain paper writing, commonly called an inland bill of exchange, purporting to be drawn by the Earl of Tankerville, upon Messrs. Coutts and Co. bankers, London, requiring them to pay to Lord Massey, or bearer, fourteen hundred and forty-nine pounds, with intent to defraud Charles Green, and his co-partner Robert Willerton; he the said Griffin, *alias* Hobart, at the time of such uttering and publishing the said bill of exchange, well knowing the same to be forged and counterfeited, against the statute.

Mr. Green deposed, that he was a jeweller, in partnership with Mr. Willerton, living in Bond-street; on the 16th of March, 1791, the prisoner came to their shop, appeared grand, and desired several articles of jewellery might be sent to his apartments, No. 36, St. James's-Place, leaving at the same time a copper-plate card, with his assumed name of Lord Massey upon it.

About four in the afternoon Mr. Green went to the house, and was ushered up stairs into the dining-room by a servant in livery;

bo

he there saw the prisoner, and had a short conversation, when the servant announced the arrival of Dr. Hunter, and he was requested to withdraw; a few minutes after the Doctor's departure, the prisoner looked at the goods Mr. Green had brought, and purchased a pair of diamond ear-rings, a gold watch set with diamonds, a chain, and other articles, and gave him a draft for 76*l.* signed Lord Tankerville, and payable to Lord Mafsey. The note was refused; he returned to the prisoner, and found him gone.

This criminal, whose exploits have rendered him so famous in the annals of fraud and gallantry, was born in America; his father was there killed, and he had a commission given him; but living extravagantly, sold it, and came to England, where, sometimes pretending to be Lord Mafsey, the Duke of Ormond, &c. he defrauded noblemen, gentlemen, bankers, &c. of various sums of money, to a large amount; until the hand of Justice stopt his career of wickedness.

His person was handsome, his air and mien genteel; and happy would it have been for himself, and beneficial to the public, had he employed his good sense in honest pursuits. He was 25 years old.

Whilst under sentence of death, being sensible of his approaching fate, he prepared to meet it like a man and a christian. Being in no want of money, he behaved to his fellow-prisoners in the most charitable manner.

Thomas Montague Glover, was cast for forging a certain order for the payment of money, purporting to be the order of Messrs. Tomkins and Co. on Hugh Parnell, for the payment of a large sum of money to the bearer John Smith, with intent to defraud Benjamin Tomkins, John Cole, and John Maud.

Thomas Healey, cast for robbing in a dwelling-house. This was a daring robbery; he went to the house of Mr. Key, said he wanted to speak to him, and being shewn into the counting-house, presented a pistol, and demanded his money. Mr. Key gave him six guineas, but on his demanding a pocket-book, knocked the pistol out of his hand, and he was secured.

This criminal was born in Ireland, and had lived in various capacities; immediately prior to this robbery he worked for the letter-founders.

George Ranken, alias Goodall, and Abraham Mayhew, were cast for feloniously and burglariously breaking and entering the house of Mary Blackmore, and stealing a silver waiter, a silver tankard, a silver pint mug, &c. The chief witness against these criminals was the niece to one of them, who, though but a child, gave a clear account of their transactions, and appeared well acquainted with the iniquitous business they followed. They were both notorious housebreakers, and old offenders.

William

William Bateman, cast for returning from transportation. This criminal was found at large before the expiration of his time, and what aggravated his offence was, that he had committed various felonies since his return.

Francis Pope, was cast for breaking into the house of Ann Conolly, and stealing three coloured aprons, a silver tea-spoon, four silver tops for cructs, &c. This convict behaved in a penitent manner.

Isaac Moore, a letter-carrier, was cast for stealing bank notes out of the letters intrusted to his care. Before this fatal fraud, he bore a good character.

They were tried in December sessions, 1792, and executed Feb. 13, 1793.

How often do we see, as in the case of Griffin, that the best talents and endowments are abused to the basest purposes! How much less pains would it cost many persons to live comfortably and with credit, than they take to become profligates, live miserable, and die disgracefully!

As a specimen of poetic talents, we copy the following SOLILOQUY, said to have been found in Griffin's cell after his execution:

SHALL he ignobly in a rope expire
Whose hand can wake to ecstacy the lyre?
Shall he be branded with the mob's harsh curse,
Who oft' hath pour'd the sweetly vary'd verse?
Whose manly Muse, indignant of controul,
Can wake such notes as harrow up the soul?
Or paint, with social sympathy impress,
The rapt'rous anguish of a lover's breast?
Yes, say, shall one, endow'd with gifts like these,
Wit, sense, good humour, elegance, and ease,
For erring once amidst the storms of strife,
Be rudely blotted from the book of life?

Tho' Justice, leaning from her seat sublime,
Demands a due atonement for each crime,
Yet doom me not to mingle with the dead
With all my imperfections on my head;
Let me to earth's extremest verge be driv'n,
That penitence may smooth my way to heav'n!
Ah! no, what solace can existence give
To one condemn'd in infamy to live?
Who, scorn'd by others—of himself asham'd,
Is shunn'd, and spoke of—only to be blam'd.

When

When Truth and Virtue from the breast depart,
The clouds of Sorrow gather round the heart;
And keen Remorse, where-e'er we chance to stray,
Becomes the sole companion of our way.

Yet, tho' degraded to a state like this,
And 'rest of social and domestic bliss,
If doom'd to visit that opprobrious land
Where impious exiles form a desperate band,
Some sober scheme I'll studiously enforce,
And, self-repenting, tread in Virtue's course;
A little useful seminary found,
And spread the flame of Reformation round,
Instruct the offspring of ill-fated hinds,
And sow the seeds of wisdom in their minds,
Teach them to teem with sympathetic thoughts,
And weep in pity o'er another's faults;
Till, wak'd to prudence by their parents' shame,
They grow ambitious of a virtuous name.

But, ah! what favour can I hope to find?
No glimpse of pardon dawns upon my mind,
Fate calls my trembling spirit to the skies,
And ignominious death must seal mine eyes!

To Thee, great God, whose piercing eye can dart
Through the dark windings of the human heart,
To Thee I pour my supplicating cries—
For Thou art, yet, as merciful as wise:
O! design from Thy ethereal throne to hear
The invocation of a soul sincere;
And, since thy goodness has allow'd me time
To see my error, and repent my crime,
O! grant an earnest of eternal day,
Nor cast thy prostrate penitent away!

*Particular Account of the Trial and Execution of WILLIAM HICKS,
and ALEXANDER ELDER.*

WM. Hicks was cast for feloniously assaulting William Reading on the king's highway, putting him in fear, and robbing him of a black silk cloak and other articles, his property.

On the trial of this prisoner it appeared, that he knocked down the prosecutor, and took the cloak from him, as stated in the indictment: but an alarm being given, he was immediately pursued and taken. The charge he could scarcely deny, but called some people to give him a character,

This

This prisoner was born of poor but honest parents, who did all in their power to instruct him in those ways by which he might gain an honest livelihood, be a credit to himself, and useful to society. But getting into bad company, going a bullock-hunting, and idling away his time, proved his ruin, and brought him to disgrace. He was married to an honest young woman, with whom he might have lived happy, had he but taken the advice she gave him. He has left a child too young to know his father's misfortunes, and his wife big with another.

Alexander Elder, for stealing in the dwelling apartment of James Fletcher, a pair of stays, his property.

This wretched convict had long subsisted by committing depredations on the public, until overtaken by the hand of justice; when, alas! he too late saw the errors of his past life. He begged every one to take warning by his fatal end, and avoid idleness, drinking, gaming, and the company of lewd women, which had been the cause of his coming to so dreadful and untimely an end.

After conviction they behaved in a manner suitable to their dreadful situation, spending their time in a due preparation for that awful change they were soon to undergo.

These unfortunate men desired the spectators to avoid sabbath-breaking, the forerunner of every evil.

These two malefactors were tried in March sessions, and executed May 8, 1793.

As the Latin poet justly remarks, *Mens humana ruit in vetitum nefas*; that is, "Mankind rush on forbidden wickedness." In vain are so many friendly warnings given, and such shocking executions exhibited, while the depraved hearts of men precipitate them, like an impetuous torrent, into the most atrocious crimes and irregularities. But this evil, though lamentable, is not incurable. And as it owes its main source to the want of a proper attention in poor parents to the education of their children, in not setting them good examples, and not restraining them as much as possible from bad company;—so we hope the institution of Sunday Schools, the Philanthropic Society, &c. will prove the happy means, among others, to promote the moralizing of youth, and be greatly beneficial to thousands of the lower class among us, to the latest posterity.—Ignorance is not the mother of devotion (as the papists falsely affirm), but of crimes; for when the minds of youth are uninstructed, and thereby rendered incapable of knowing their duty, they become susceptible of every bad impression, lie open to all temptation, and in consequence associate with wicked companions, who, after enticing them to commit villainy, frequently accompany them to an untimely and ignominious death at the gallows.



A very singular and extraordinary Character: exemplified in the abandoned and profligate Conduct of ROBERT WALPOLE CHAMBERLAIN, who, after proving himself a Monster of unbounded Dissipation, Vice, and Debauchery, terminated his short, but wretched and worthless Existence at the Gallows, August 5, 1793, being then only Twenty-three Years of Age.

THIS thoughtless young spendthrift and footpad, who was executed as above, on Kennington Common, had his life marked by very strange vicissitudes. He was found guilty, at the Croydon Assizes, of having some time before committed a footpad robbery, attended with many circumstances of cruelty, upon Capt. Bellamy, near Epsom; and was hanged some short time after with a Coiner, of the name of Vernon. His father was a butcher in Leadenhall-market, who died while he was very young, and left him to the care of a mother, who was too foolishly fond to exercise any controul over him. As he had no inclination for business, he was allowed to pass away his time idly, and his mother gave him a regular supply of 200l. per annum, to enable him to live like a gentleman. She also occasionally paid his debts, which he was by no means sparing to contract.

To supply, however, extravagance with greater prodigality, he had recourse to robbery, and was twice capitally convicted, but had the good fortune to get the punishment commuted for transportation. On the first conviction he was permitted to transport himself, which he did, to Ireland, till part of his time was expired, and the rest remitted; he also got off the second sentence, and his mother dying about the same time, left him a legacy of 10,000l. On this occasion he was seriously advised, if possible, to retrieve his character, and, that he might not have the temptation of want for the renewal of his offences, the executor of his mother's will suffered him to draw upon him at discretion. But so indiscreet and imprudent a use did he make of this indulgence, that, in less than three years, nearly all the money was exhausted. He had for some time existed by depredations, and was taken for a house-robbery. While in prison, Mrs. Bellamy recognized him; and, at the age of three and twenty, he suffered for a robbery committed two years before, after squandering a very respectable fortune. He demeaned himself decently at the gallows, and his body was taken away in a hearse.

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The particulars of the robbery for which he paid his life a forfeit, are as follow: Mr. Bellamy deposed, that on the 6th of June, 1791, he, in company with Mrs. Bellamy, his wife, was stopped in a post chaise near Epsom, by three footpads, who demanded his watch and money, and threatened to blow his brains out if he refused: that he (Mr. Bellamy) presented a pistol at them, and said he was ready for them; on which the prisoner (Chamberlain) fired a pistol into the carriage, and immediately afterwards, with one of his companions, dragged Mr. Bellamy out of the chaise, took his watch and money from him, and then wounded him with a cutlass in a very dangerous manner.--- Mrs. Bellamy corroborated the whole of her husband's evidence, and positively swore to the person of the prisoner, who, she deposed, took bank notes from her to the amount of 90*l.* telling her, that he would blow her brains out if she turned her head; and that he would teach Mr. Bellamy to carry pistols again: that on the 1st of May last, she was sent for to the New Gaol in the Borough, where she immediately recollected the prisoner, who turned from her, and could not be prevailed upon to look her in the face.

This unfortunate man affords a very striking example of the precarious and dangerous reign of prodigality, which is generally attended with an ignominious termination---ignominious, either by incurring the judgment of the laws of our country, or lifting up the knife of self-destruction. May the unfortunate end of the abandoned Chamberlain be a warning to all prodigals!

Account

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*Account of the Trials, Execution, and Behaviour of
JAMES RANDALL and SAMUEL YOUNG, for High-
way Robbery, and JOHN SEVILLE WRIGHT, for
Burglary.*

JAMES RANDALL was tried in September Sessions, 1793, for robbing James Seyers, on the highway, of two guineas and a half in gold, and nine shillings in silver; he was found guilty on the clearest evidence.

This man had been capitally convicted before in October Sessions, 1791, for felony, but his Majesty was graciously pleased to give him a free pardon, which, instead of using as he should in repentance and atonement for his past folly, he again violated the laws of his country, and abused the mercy of his Sovereign!

At the same time SAMUEL YOUNG was tried for, and found guilty of, robbing Benjamin Burroughs, on the highway, of a metal watch.

JOHN SEVILLE was indicted for stealing a great variety of articles of plate, to the amount of many hundred pounds, the property of the Hon. John York, in the dwelling house of Richard Hemmings, and Eleazar Lazarus, for receiving them, knowing them to have been stolen.

Mr. Hemmings is an eminent silversmith in New Bond-street. He stated that the prisoner became his servant on the 9th of April last, and left him on the 7th of August. He was Mr. Hemmings's porter, and was to open and shut up shop, and do other things. It was a custom with gentlemen, when they left town, to send their plate either to their silversmith or their banker's, there to be deposited for safe custody. Plate came in abundance to the house of Mr. Hemmings; and the prisoner

used to carry it into a strong room built for the purpose of receiving such property; by which means he knew where the plate was. There was a strong cellar with a double door, and the window fortified with iron bars; it looked into the garden, a little below the surface of the soil adjoining this room. The bars of the window were not wrenched when the robbery was committed, but remained as they were. There was a hole made in the brick wall, by pulling some bricks out of it from the side of a leaden pipe, large as the circumference of a man's hat; but these bricks were put together again loosely, so that in all probability there would have been no suspicion of the robbery until Mr. York should have arrived in town, and sent for his plate, had it not been for some information given to Mr. Hemmings of the robbery the night the prisoner had left his service. So little suspicion had Mr. Hemmings of the honesty of the prisoner, that he desired him to come to his house, the next day, to assist the servant who was to succeed to his place.

— Fisk gave a long account of the circumstances of this robbery: he said, he knew the prisoner for three years; that his name was not Seville, but Wright; that he, Fisk, at the time the robbery was committed, was servant to Mr. Roch, a silk mercer, as his porter; that a person of the name of Thornby was concerned with the prisoner in this robbery, but had escaped; that the prisoner told the witness, that he had got a tea urn, and that he had sold it to a Jew; that he had made a hole in the wall, where the plate was, in his master's house; that the prisoner wanted him to rob his master of silks, as he did his of plate; but that he refused to do so; and that he had no

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connection in any of the robberies of which the prisoner was guilty.

On his cross examination he was compelled to confess that he himself stood accused of robbing his master, and that he gave this evidence in consequence of a promise, that if he did, he should not be prosecuted: in short, he proved that he was, what Mr. Justice Grosse stated him to be, as wicked and as infamous a fellow as could live in society.

Several witnesses, however, corroborated many of the circumstances related by this accomplice. In particular, seven labels for wine bottles were found in the house where Thornby, the prisoner's partner, lodged. These labels were proved by Thomas Coke, a servant of the Honourable Mr. Yorke, to be his master's property. These labels were only worth 10s. or 12s. There was a vast variety of plate candlesticks, of the value of 4l. a tankard, of the value of 10l. and all of them were stolen out of Mr. York's chest.

Mr. Justice Grosse observed to the Jury, that the accomplice deserved no credit for one word he uttered, except where he was corroborated by other evidence; and also, that if they were of opinion the prisoner did not steal, *at one time*, more than the value of 40s. he should be acquitted. He left the whole to the Jury.——*Guilty*——*Death*.

The prisoner applied to the Court for an order to restore to him the property taken from him when he was committed, which amounted to 40l.

Mr. Justice Grosse said, that he was now a felon, and therefore his property was forfeited.

There being no evidence to affect Lazarus, he was of course acquitted.

These three unfortunate men were executed pursuant

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pursuant to their sentence, on Wednesday, Nov. 13, 1793, at the Old Bailey, opposite the debtor's door--they all behaved very penitent--Young protested he was innocent of the crime for which he suffered. Though it is a melancholy thing to think that an innocent man should suffer, yet it is to be hoped that he did not die with a lie in his mouth, as such an unavailing falsehood would only be an aggravation of his guilt in the sight of God!!

A full and particular Account of the Life, Trial, Condemnation, and Suicide of the notorious Swindler, LAWRENCE JONES, who was to have been executed December 8, 1793.

LAWRENCE JONES, the unfortunate subject of these pages, was born in London, of respectable parents, whose too great indulgence towards him in his early years probably led to his unhappy end. He received a genteel education, and possessing a good address, he introduced himself into the first company, which unfortunately led him into habits of extravagance, his income was not equal to; though he enjoyed a lucrative employment in one of the public offices, where, being detected in some mal-practices, he was discharged. His means of subsistence being now entirely gone, and his character also, he found himself under the necessity of doing something in order to support both himself and a lady of easy virtue with whom he cohabited, to whose extravagance there was no end. He therefore determined to commence swindler, which he continued for some time with success, till being suspected, he was apprehended about seven years ago, and committed

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mitted to Newgate, where he contracted an acquaintance with the noted George Barrington, who was then also in confinement previous to his transportation to Botany Bay. A quarrel once arising between Barrington and Jones, a battle ensued, in which Barrington came off the conqueror, and Jones was beat in a shocking manner, and, for which, it appearing Barrington was the aggressor, he was confined in the cells of Newgate.

The sessions arriving when Jones was to be tried, he was acquitted for want of sufficient evidence. Once again at liberty, and having a considerable sum of money left him by a relation about this time, he resolved to set up in his old trade on a very extensive scale, for which purpose he took a handsome house in St. James's, which he had elegantly furnished---kept his carriage and servants, who, by the bye, were accomplices, to carry on the deception, which he did with great success for some months.

During his abode in this place, he defrauded Mr. Hudson, a silversmith, of plate to the value of near 3000l.; Mr. Kempton, a mercer, of silks and other goods, to a large amount; and Mr. Bailey, a watch-maker and jeweller, of a gold repeater, value 60l. a necklace, ear-rings, and other trinkets, to the value of near 300l. The time of payment at last coming on, and some suspicion being entertained of his pretensions to property, he thought it high time to decamp, which he effected just in time to escape a warrant out against him. After this he lived privately for some time, that suspicion might die away, before he again began his fraudulent practices, which he carried on with his usual success, till he failed in the affair in Hatton-garden, for which he was condemned,

demned, the particulars of which are as follow:

Mr. Campbell, who unfortunately became a dupe to their deep laid artifices, was the collecting clerk to Vere, Lucadou, and Co. bankers, in Lombard-street, and in the course of his business, he called at a house (which was hired for the express purpose of preying upon the unwary) for the payment of a bill, a scheme concerted before by the villains. No sooner had he knocked at the door than it was opened by a person, in appearance a gentleman, who desired him to walk into the counting-house, which was backwards, which he accordingly did, and when he came there, a man came behind him and covered his head and face over with a thick cap, so that he could see nothing. They then threw him upon the floor, and wrapped him up in a green baize, in which condition they bound him hand and foot, and carried him down stairs, when they proceeded to rob him.

They took from him his pocket book, containing bank notes and bills to the amount of nine hundred pounds, which they secured. They next took measures to prevent a discovery before they should receive the money for the bills, &c. with which one of the gang immediately went out to turn them into cash, while the rest, in the mean time, handled the unfortunate young man in the following manner:

They first laid him flat on his back on a board, and chained him hand and foot, and then carried him down stairs into a back kitchen, where they chained him to the bars of a copper grate, threatening, at the same time, that if he made the least noise, they would blow his brains out. They then left him, after placing before him some bread, some ham, and some water. In

In this condition he remained for about eight hours, not daring to make the least noise, expecting every moment to be murdered if he spoke: But providence preserved him from this dreadful fate, for hearing no more of them for so many hours, he at last had the courage to call out, thinking it better to have his brains blown out at once than perish in that miserable condition.

After crying out with all his might for near three hours, his cries were at last heard by a man who was at work in a house behind that in which Mr. Campbell was confined. The man had the resolution to break open the door of the house from whence the noise proceeded, when, directed by the cry, he went down stairs, and there discovered the unfortunate man almost expiring, exhausted with struggling and crying out so long.

It was not long before he was set at liberty, and restored to his friends, to their great joy, and infinite satisfaction of his employers.

Jones was apprehended by Jealous and Kennedy, officers of Bow street, at the King's Arms, in Bridge-street, Westminster. Kennedy seeing that he agreed with the description of his person, as lodged at Bow street, respecting the man that opened the door to Campbell, he took him into custody, with the assistance of Jealous.

Before they attempted to search him, it was judged expedient to call in some assistance, Jones being rather of a refractory disposition, and fearing a rescue might be attempted, there being a great concourse of people in Palace-yard, some of whom might have been his companions.

For that purpose Jealous went out, and left his prisoner with Kennedy till he should return. During Jealous's absence, Jones became very importunate

tunate with Kennedy, respecting the cause of his being apprehended.

On Jealous's arrival with a reinforcement of four, viz. M^cManus, Carpmeal, Townsend, and Lavender, Jones was searched, but nothing of consequence found upon him, except a direction to his lodgings, which he attempted to snatch from Townsend's hand, but failed.

They then proceeded to conduct him to a place of safety, but just as they had all left the room, Kennedy desired Carpmeal to return, look into the fire place and see if there was any thing there, the prisoner having stood with his back against that place; which he did, and returned with a handful of bills and notes; they then proceeded to a place of security, where they left him, and immediately set off for his lodgings in Peckham-Rye-lane, which was the place specified on the paper found in Jones's pocket; and on their arrival there found his wife, his brother, and two other persons, all of whom they brought to town, together with a great quantity of papers, among which was a letter to Mr. Pitt, the contents of which are not ascertained. On his examination he behaved very insolently.

Being committed to Newgate, he was afterwards tried and found guilty, when he received sentence, and was ordered for execution on Wednesday, Dec. 8, 1793, in Hatton Garden, near the house where he committed the robbery, but on Saturday previous thereto, about six o'clock in the morning, when the turn-key entered the cell to prepare him to hear the condemned sermon and receive the sacrament, he found him dead. It appears that he had made several attempts on his life before, but was prevented, and the manner in which he at last accomplished this worst of all crimes, was very

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very extraordinary—he had taken the knee strings with which his fetters were supported, and tied them round his neck, then tying the other end to the ring which his chain was fastened to, he placed his feet against the wall and strangled himself, his effort must have been great, but no doubt the devil, wishing to secure his prey, lent him a helping hand. On Monday the coroner's jury, having examined the body, pronounced a verdict of *felo de se*.

In consequence of the above verdict, the body was, on Wednesday morning, carried out of Newgate, extended upon a plank on the top of an open cart, in his clothes, and fettered, his face covered with a white cloth, to the brow of Holborn-hill, directly opposite to the end of Hatton Garden. The procession was attended by the sheriffs, city marshals, and near 500 constables. Being arrived at what may be called the place of execution, the body was deposited in a very deep pit, and a stake driven through it, according to the coroner's verdict. The concourse of people on this occasion was very great.

The accumulated guilt of this man, and particularly the wanton destruction of himself, must make every charitable christian shudder at his fate—instead of repenting of his enormous sins, and beseeching Heaven to pardon them, he shortens the short date of life that was allotted him, and hastens with rash precipitation into the presence of an offended God.—He died in the commission of a crime—self-murder, as enormous as any of the former he was guilty of. Such horrid presumption and violence render his fatal catastrophe awful indeed!

The remarkable Trial and Condemnation of THOMAS MUIR, the Younger, of Huntershill, Edinburgh, and the Reverend T. F. PALMER, for seditious Practices.

IN the month of August, 1793, came on the trial of Mr. THOMAS MUIR, the younger, of Huntershill, for seditious practices.

The prisoner, in the indictment, was accused of wickedly and feloniously exciting, in November 1792, at different meetings at Kirkintilloch, Campsie, &c. denominated societies for reform, by means of seditious speeches and harangues, a spirit of disloyalty and disaffection to the king and the established government---of advising and exhorting persons to purchase and peruse seditious and wicked publications and writings, (viz. Paine's Works, a Declaration of Rights, the Patriot, &c.) calculated to produce a spirit of disloyalty and disaffection to the king and government---of distributing or circulating a seditious writing or publication of the tendency aforesaid, or causing to be distributed or circulated such seditious writing or publication---of producing and reading aloud, in a public meeting or convocation of persons, a seditious and inflammatory writing (viz. An Address from the Society of United Irishmen in Dublin, to the Delegates for promoting a Reform in Scotland) tending to produce in the minds of the people a spirit of insurrection and opposition to the established government---and publicly approving of and recommending, in the said meeting, such seditious inflammatory writing, &c.

To these charges Mr. Muir pleaded Not Guilty. —He said he had nothing to observe on the relevancy; he would trust himself entirely to the jury.

jury. He had given in, when last before the court, written defences, in which he declared the libel to be false, and that he would prove that ~~he~~ ^{the} ~~all~~ ^{all} along supported the constitution. Being asked if he had any other defence, he said he wrested upon his written defence; he had uniformly advised the people to pursue legal and constitutional measures; and that he had also advised them to read all books written upon the great national question of reform.

The jury being named, Mr. Muir objected to every one of them; he said, that as the gentlemen, however respectable, were all subscribers to the Goldsmith's Hall Association, and had offered a reward for discovering those who had circulated what they deem seditious writings, they had already prejudged him, and were, therefore, improper persons to pass on his affize.

The solicitor general, in reply, said, that their lordships were equally precluded, as they had, with every friend to the constitution, condemned the writings of Paine.

The court unanimously repelled the objection.

The first witness called was Alexander Johnston, bleacher, at Kincaid Bleachfield. Mr. Muir objected to his testimony, as he could produce evidence to prove that the witness had said he would do every thing in his power to have him hanged. The court repelled the objection, and the witness swore, that Mr. Muir was present at a meeting of the friends of the people at Kirkintilloch, in November last, where he harangued the people; in which he observed, that this country was not properly represented. He entered into a comparison between our constitution and the French, and said they were more equally represented, two thirds of their national debt paid, their

their taxes less, and that they would be successful; advised them to petition parliament, and publish their proceedings. On a cross interrogatory, the witness said, that Mr. Muir recommended peace, for any tumultuous act would ruin their cause.

Robert Widdell, a vice-president of the society, was likewise present at the meeting, and heard Mr. Muir say something about the unequal representation of the people, and that Paine's works were foreign to their purpose.

Mr. James Lapside, minister of Camplie, was objected to, as being present at the precognition of the witnesses, taking notes, and even putting questions to some of them. Several witnesses were examined upon this point; and the fact being proved, the lord advocate gave up his evidence.

Henry Freeland, preses of the society, also heard Mr. Muir's speech. After the society broke up, Mr. Muir, Freeland, and others, retiring to a public-house, the witness expressing a wish to see Paine's works, Mr. Muir said, he had a copy in his great coat pocket which he might read; that he accordingly did so, and lent it to several of his neighbours.

Here the trial was interrupted for some time by a requisition from Mr. Muir, that a gentleman at the clerk's table should be inclosed as an exculpatory evidence; which, after a little altercation, was passed from.

William Muir declined swearing. He said, it was against his principles, as he was a Mountaineer. Being told he must either swear or go to gaol, whence he would never be liberated, he said he could not help it; he hoped the Lord was there as well as any where else. He was accordingly committed

committed. His scruples being afterwards removed by the Rev. Mr. Dun, he was examined, and swore he saw Freeland take Paine's works out of Mr. Muir's pocket; and that Mr. Muir gave the witness a copy of the Political progress, and ten or twelve numbers of the Patriot; that he desired him to shew them to the members of his society, and would not take them back.

Anne Fisher said she was servant to Mr. Muir's father in autumn last, and that he was then much employed in reading and writing, but she did not know what; that she carried from him to the printer, a Declaration of Rights, marked with some corrections, to be reprinted; that a number of country people coming to the shop of Mr. Muir's father about this time, a deal of conversation passed concerning Paine's Rights of Man, which she has heard the prisoner say was a good book; that she several times bought both parts of the book, and gave them to different people; that Mr. Muir wished his hair-dresser, (Mr. Wilson) to purchase them, and keep them in his shop to enlighten the people, saying that it confuted Burke entirely; that she has seen the Paisley Declaration in Mr. Muir's house, and a Dialogue between the Governors and the Governed, which last he said was very clever, and written by one of the first men in France; that she heard Mr. Muir read part of the Paisley Declaration in his father's back shop, and that the common topic of his conversation was politics; that Mr. Muir said, when the reform took place, he would be member for Calder; that members would then be allowed 30s. or 40s. a-day, and that none but honest men would be admitted to keep the constitution clean; and when the constitution was put under a proper foundation,

foundation, they would get new counsellors, who would govern the nation with justice; that France would soon be the most flourishing kingdom in the world, for they had abolished tyranny; that she has caused the organist in the streets of Glasgow to play *Ca Ira*, at Mr. Muir's desire.

Thomas Wilson, barber, said that Mr. Muir exhorted him to purchase Paine's Rights of Man.

John Muir said that Mr. Muir's maid bought a copy of Paine for him.

James Campbell, writer to the signet said he was present at a meeting of the convention of delegates in December last; that Mr. Muir read the address from the United Society of Irishmen, and moved that it should be answered; which was opposed by others in the society, and at last negatived.

James Denholm, writer in Edinburgh, deposed to the same effect.

Mr. Muir having admitted the declarations he emitted at Edinburgh and Stranraer to be his, and also the pocket-book and papers found upon him, the evidence for the crown was closed.

Evidence for Mr. Muir.

William Skirving of Strathruddle said, that Mr. Muir went to London, to be present at a meeting of the Friends of the People that he received a letter from Mr. Muir at London, giving an account of what he did at the meeting; that it was the opinion of the society in London that he should go to France, in order to see if he could have any influence to prevent the execution of the king; that he received a letter from Mr. Muir at Paris, informing him that he would return to his friends in Scotland immediately; that

that he had frequently been in company with Mr. Muir, both in societies and privately, and never heard him speak against the constitution, but the reverse, that his whole conduct was of a contrary tendency, and that he disapproved of Mr. Paine's principles of government. He (Skirving) was secretary to the general convention.

James Campbell, writer to the signet, produced two letters received from Mr. Muir in France, expressing his sorrow, for being obliged to leave so amiable a circle. He never heard Mr. Muir speak against the constitution, but has heard him say Paine's works were dangerous for weak minds.

John Buchanan, William Johnston, Esq. Maurice Thompson, Charles Salter, Mr. Reid, and a great number of other witnesses, swore to the regular and peaceable behaviour of Mr. Muir; and all of them concurred that he uniformly declared his respect for the constitution; said it was an excellent constitution, the best in the world, and that the king was the father of his people; that upon all occasions he recommended the same principles to the different societies with which he associated.

The lord advocate addressed the jury. He said, that if in the range of his official duty, in bringing persons to the bar accused of similar offences there had been any one whose conduct was more peculiarly marked by the spirit of diabolical mischief, this was the man! Under the pretence of reform, he had been at particular pains to instil into the minds of the uninformed and unwary, doctrines of the most pernicious tendency, destructive of all order, and calculated to overturn the constitution; and by an insidious comparison between France and this country, had left no room

to doubt that his wish was to introduce the same anarchy, which in that infatuated nation, had occasioned such bloodshed and ravage. Of the writings of that wretched outcast Paine, he would say little. The opinion of the country sufficiently marked the detestation in which they were held. The boasted interference of the prisoner, to save the unfortunate king of France, sufficiently pointed out that he was a missionary to that country.

His lordship then recapitulated those parts of the evidence, which, in his opinion, indelibly stamped the criminal intentions of the prisoner, whose actions justified his stigmatising him as the pest of Scotland. He concluded, by demanding from the jury such a verdict as their regard for their country and its laws, which they were bound to preserve inviolate, and the voice of their conscience, must naturally dictate to them.

Mr. Muir then rose. He said, that amidst the inquisitorial keenness of his adversaries, aided as they had been by domestic spies, it was a consolation to him that his moral character had been unimpeached. The accusation of sedition was merely a pretext: his real crime was, he had been a friend to reform; and to this charge, had it been so laid, he would have pleaded guilty at once. But why should he be singled out as a victim on this occasion? Were not the present minister, Mr. Pitt, and the duke of Richmond, at one period, equally the advocates of reform? And if he was the pest of Scotland, with equal propriety might they be termed the pest of England.—Nay, not to go out of court, was not the lord advocate himself, not many months ago, a reformer, in being a delegate for amending the representation of the counties of Scotland? he quot-

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ed Blackstone, to show that his opinion of the representation of this country was similar to his own.

As to the affairs of France, of which so much had been said, with respect to some advantages they possessed, by their constitution and mode of taxation, he had only stated facts, which he trusted could not be considered seditious. He denied his having any mission to that country, and unless any anxiety to prevent the effusion of blood were criminal, no circumstance attending his visit to that country could be deemed so. He then mentioned the circumstances which occasioned the delay of his return to this country from France, the difficulties he encountered in effecting it, and the readiness he had ever shown to subject himself to a verdict of his countrymen. He concluded with an earnest appeal to the jury, as they regarded their future peace of mind, to return a verdict of acquittal. The lord justice clerk having summed up the evidence, the court rose about two in the morning, and at twelve on Saturday the jury returned a verdict, finding the prisoner guilty.

The court then sentenced Mr. Muir to be transported beyond seas, to such place as his majesty, with the advice of his privy council, should judge proper, for the space of fourteen years.

Mr. Muir observed, that had he been carried from the bar to the scaffold, he would have met his fate with equal coolness, so convinced was he of the justice of his conduct. He was then conveyed to the Tolbooth.

At Perth, in the month of September, the Rev. T. Fife Palmer was found guilty of writing a seditious hand-bill. His sentence was seven years transportation.

On the first of December, Mr. Thomas Muir and the Rev. T. F. Palmer arrived in the river from Leith on board a revenue-cutter. Orders were sent down for delivering them into the custody of Duncan Campbell, the contractor for the hulks at Woolwich; the former in the *Prudentia*, and the latter in the *Stanislaus*. They were in irons among the convicts, and were ordered to assist them in the common labour, on the banks of the river. Mr. Muir associated with about 300 convicts, among whom he and Mr. Palmer slept after their arrival. Mr. Muir was rather depressed in spirits; but Mr. Palmer appeared to sustain his misfortune with greater fortitude.

Several attempts were made by Mr. Sheridan, &c. in the House of Commons to have the sentence revoked, but all means proved ineffectual.

The remarkable Trial, &c. of the Rev. RICHARD BURNES, THOMAS TOWNLEY, M'CAN, JAMES DAVIS, JOHN COMMINGS, and JOHN BOURNE, for a conspiracy to set fire to the King's Bench.

THIS trial came on before the judges of the Court of King's Bench, and a special jury. The indictment charged the prisoners with a conspiracy, in attempting to demolish the walls of the King's Bench prison, in order to effect their own, and the escape of other prisoners, and with having, for that purpose, introduced a large quantity of gunpowder.

Mr. Garrow, as one of the counsel for the crown opened the pleadings.

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The attorney general then stated the case with his usual abilities and precision. He said he flattered himself it would be found that he had done no more than his duty in bringing the several defendants before the court. The offence with which they were charged was of the utmost importance to the peace and safety of the capital; for it not only had for its object the demolition of the King's Bench prison, but involved the burning of other houses, bloodsheds and murder. He lamented that five persons, all of education, and families respectable, should by their folly and imprudence, to call it by the softest name, bring themselves into such an unfortunate situation; one was a Reverend Divine, another an officer in the army, another had been in the profession of the law, and the others of respectable parents, and, as he understood, sat out in the world with fair prospects of being honourable and useful members of the community. The attorney-general then said, that this case was pregnant with the most alarming circumstances, which would be better detailed by the witnesses than described by him.

The prisoner, Burgh, was the private chaplain to the duke of Leinster, and a relation to the Speaker of the Irish House of Commons.

The first witness was Mr. Justice Buller's clerk, who produced a record to prove that the prisoner, Burgh, was lawfully confined in the King's Bench prison for debt. Evidence was produced to prove that the other prisoners were also confined in the same prison for debt.

Edward Webb said, he knew all the prisoners about the beginning of May last, he was introduced into a society, called the *Convivialists*, held in a room in the King's Bench prison, of which
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the prisoners were members. M'Can expressed himself very freely upon the subject of Lord Rawdon's bill then pending respecting insolvent debtors, and said, if that bill did not pass into a law, he and others were determined to do something to liberate themselves, and that there was a scheme in agitation for that purpose, but that the parties were sworn to secrecy, and therefore he could not divulge it; the witness said he might safely communicate the business to him; the prisoners Cummings and Davis were present at this time; M'Can afterwards opened the business to the witness; he said, the plan in which he and the other prisoners were concerned, was to effect their own enlargement, by demolishing the walls of the prison, as they were determined not to be confined within those walls for debt; the execution of this plan would however depend upon the rejection of Lord Rawdon's bill: after they had effected their escape by setting fire to the prison, they would then go to the Fleet prison, and liberate the prisoners, after which they should proceed to the houses of Lords Thurlow and Kenyon, which they would destroy. Davis said he should not hesitate himself to blow out the brains of those noble Lords: the witness saw the other defendants who conversed upon the subject, and it was proposed to procure some sailors to assist them; this scheme was however defeated by the vigilance of the marshal, who sent for the guards and had the prison searched throughout. A short time afterwards the witness saw M'Can, Cummings, and Davis again, who said, that though they were defeated in the former scheme, they determined to put some other plot into execution; the next day Cummings (who was called the captain)

captain) said to the witness, "I have discovered the best plan that could be conceived for blowing up these d—d walls—I'll shew you the place;" he then took the witness to the end of the bakehouse and pointed out to him a place where the drain had been opened; he then described the force necessary to blow up the walls and said, he had studied the scheme upon his pillow; he then said, it would be necessary to have a box about ten inches wide and as many deep, and described the tubes they were to convey the fire to the box, which he said must contain about fifty pound weight of gunpowder and requested the witness would get it made. In the evening of the same day the witness saw M'Can and Davis come out of the coffee-room, and alluding to the plot, said, "it was a glorious plan, and they would support it to the loss of their lives;" they said, no other person should be privy to it excepting Mr. Bourne who was concerned in the former scheme, and who has got a large quantity of gunpowder ready: the witness observed to them that the neighbouring bakehouse and coffee-room would be in danger, and that poor Martin who had a large family would be killed; they replied it was no matter if they or a dozen more were killed provided it procured the prisoners freedom.

In a day or two afterwards the witness was walking upon the parade with Cummings, M'Can and Rouen; he asked if Mr. Rouen knew of the plot; they said he did. Rouen said, they should have the powder, and that Mrs. Rouen should bring it to the witnesses house in small quantities; M'Can then proposed that in order to raise money to purchase the gunpowder, a motion should be made in the club of Convivials for a subscription
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of five shillings each under pretence of seeing counsel to know whether the marshal had a right to enter his prisoners apartments when he pleased : this proposal was agreed to, and the motion was accordingly made. After several other consultations, at which all the prisoners were present, it was agreed that the gunpowder should be deposited in a hole in the floor in Burgh's room, where it was afterwards found. It was also agreed, that on the day the plot was to be carried into execution, M'Can and Bourne were to have a sham fencing match for a great deal of money ; this was to collect together all the prisoners at the time the gunpowder was set fire to, and thereby afford them a chance of making their escape. The day was at length fixed to be on a Sunday, in July last, about seven o'clock in the evening, being a time at which a number of strangers were in prison. Cummings had the sole management of this plot, and he said all the rest of the prisoners ought to get him a patent for so excellent a scheme. Burgh said, that the noise and confusion it would create, would, he hoped, bring about a revolution in this country.

The box was produced in court.

H. T. Hendacre confirmed the substance of the evidence of the last witness, as did Mr. Batterley. These witnesses stated, by way of addition, that Davis gave half-a-guinea to purchase some gunpowder ; that the prisoners carried on a correspondence with a society in the borough of Southwark ; that Mr. Dundas's house was one that was fixed on for destruction ; that the prisoners had two schemes in contemplation to effect their escape ; the one was to tie down all the turnkeys ; the other the gunpowder-plot in question, of

which

which Cummings had the sole conduct, he being considered the engineer.

A seditious song, stated to be written by M'Can, was also produced and read in court.

Mr. Rouse made a very able speech on behalf of the prisoners. He called three witnesses to impeach the credit of the witnesses for the prosecution, but their evidence was of little effect.

Lord Kenyon summed up the whole of the evidence in the most able and impartial manner, after which the jury retired for a short time, and upon their return, found all the prisoners—*Guilty*.

On Tuesday, Feb. 12, 1793, the prisoners were brought to receive the judgment of the court.

The prisoner Cummings produced a petition, in which he stated that he had been for several years an officer in his Majesty's service, and had then two sons in the army, who in consequence of the calamitous situation of the prisoner, were deprived of the education and support necessary to their station and rank. He stated several other circumstances in mitigation of punishment.

The prisoner Townly M'Can produced an affidavit, in which he stated, that he was a student of law, and had formed an opinion from several writers, that imprisonment for debt was illegal; he disclaimed any criminal intention, and positively denied that he or his fellow prisoner had carried on a correspondence with the Revolution Society in the Borough, or ever had a design to kill the two great Law Lords, as alledged by a witness on the trial, but which was a fabrication of that witness to recommend himself to the favour of Government.

Mr. Burgh addressed the court in an elegant speech, and with great emotion, in the course of

which he spoke in the highest terms of the humane conduct of Mr. Kirby, the keeper of Newgate, to all his prisoners. He endeavoured to impress the court with the improbability of five men effecting a revolution in the country, by breaking out of prison.

They were severally sentenced to three years imprisonment, but in different prisons.

We shall forbear making any remarks upon the above trial, assured that the prisoners themselves must, by this time, be convinced of their rashness and folly.

The Extraordinary Case of Mr. MENDEZ, suspected for the Murder of his Uncle, AARON FERNANDES DE SILVA.

AARON FERNANDES DE SILVA was a Jew, supposed to have much money in his house, and was almost superannuated.

On Wednesday, Jan. 16, 1793, between the hours of nine and one at noon, five or six men entered his house in Green's Row, Chelsea, where they murdered his housekeeper, and beat and wounded the poor man so severely, that he died soon after. They afterwards stripped the house of many valuables. The persons who perpetrated these horrid deeds were suspected to be Jews, and the principal among them Mr. Mendez, nephew of the unfortunate person who died of his wounds.

When the Coroner held an inquest on the bodies of Mr. Silva and Mary Williams, his housekeeper, Thomas Cobb, the nephew of Mary Williams, a boy of about twelve, who, with his sister, had been taken out of charity to be educated by

Mr.

Mr. Silva, said, that on going out to school on Wednesday morning, he left both the deceased at breakfast in the kitchen; that, on returning about noon, and not being able to obtain admittance, he went down the area, and in at the kitchen window, when he saw Mr. Silva lying near the fire place, groaning, and his aunt lying near the dresser, apparently dead. That he went up the stairs, and out at the street door, to call for help; on passing the parlour door, which was generally locked, he observed it open, and a lighted candle on the second window seat, but did not see or hear any person in the house.

George Saunders found the deceased in the kitchen as described by the boy. On lifting up Mary Williams, there were signs of life, but she expired in two minutes. Mr. Silva was alive, but speechless and insensible, and so continued till he died on Thursday morning. He found the parlour door open, but no candle in the room; in a closet in the kitchen a large iron chest unlocked, and nothing in it but a wooden bowl, and a small iron chest fastened to the large one, and locked. In the front room, one pair of stairs, a bureau open, with the drawers out, and the papers in confusion; and on the floor a quantity of bedding folded up, apparently taken from the bedstead in the next room.

Mr. Northy, surgeon, on examining the body of Mr. Silva, found a deep lacerated wound behind the left ear, a wound about two inches long on the upper part of his head, with a fracture and depression of the skull, two smaller wounds on the left temple, the temporal bone fractured, and very much beat in upon the brain. The deceased

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languished till about half an hour after eight on Thursday morning.

John Horne said, that Mary Williams came to his shop about half an hour after nine, when she said her master's nephew was come to breakfast with him, and had brought a fine fowl for dinner.

Mary Newins said, that Mary Williams came to her shop about nine for the usual quantity of rolls, and returned about eleven for a penny brick, which she said was for her master's nephew, either come or coming to breakfast; but which of the two words the witness does not recollect. That on Friday, a man of about forty years of age came twice to her, and said he had promised to breakfast or dine with Mr. Silva, without fixing the day, but had not been near him, and begged on his knees that the witness would not say any thing more to injure him, than the deceased Mary Williams had said to her.

The Jury found, wilful murder by persons unknown.

Mr. MENDEZ, who lived near Moorfields, was accordingly apprehended, and brought before Nicholas Bond, Esq. but some respectable witnesses appearing to his character, and stating the time of his being in Moorfields, when the murder was committed, he was discharged, it appearing to the magistrates, at that time, to be an alibi.

Afterwards several circumstances came out, which revived the suspicions that he was the actual perpetrator of the murder; and it was intended to have him apprehended again. But he was found dead in his bed on the succeeding Wednesday morning, and suspicions of suicide having arisen, his body was opened, and nearly half a pint of arsenic found in his belly; on which

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which the coroner's inquest brought in their verdict, *felo de se*, and he was buried in Bishopsgate-street, near the new opening.

The horrid crime of murder is frequently its own punishment, being ever haunted with bitter and dreadful remorse --the extraordinary end of this man seems a corroboration of the guilt laid to his charge, as doubtless, the man capable of *murdering himself*, is capable of murdering his uncle ! It is shocking to think (should this be the case) of a wretch---a most guilty wretch, hastening to receive the judgment of an offended God---Blood calls for blood, and how many, when proofs have been wanting, have been their own executioners !

The remarkable Trial and Sentence of WILLIAM HODGSON, at the Old Bailey, for scandalous and libellous Expressions, Dec. 9, 1793.

WILLIAM HODGSON was indicted for uttering certain seditious, inflammatory, scandalous, and libellous expressions, tending to scandalize his Majesty, to stir up his subjects to rebellion, and to vilify his Government.

Mr. Fielding, as Counsel for the Crown, followed Mr. Raine, who opened the prosecution in an able and animated address to the Court and Jury. He stated, that the Attorney General being employed in the service of the public in another place, it fell to his lot to conduct the present prosecution. He stated the words made use of by the defendant, and animadverted on them with great ability and impartiality, insisting that the offence of the prisoner, of all others which had come before a Court, was the most proper for prosecution, when

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when it was considered that the defendant was not heated by liquor, which could alone be any extenuation of his offence; that the place was a public coffee-room, and the time a period when this country is at war with the power to whom the defendant wishes success, and whose massacres and anarchy, that were the detestation of mankind, he wished to see repeated in this country. He concluded a very able speech, by expressing a wish that the defendant might have it in his power to acquit himself of so foul a charge, and by wishing that the Jury would divest themselves of all prejudice, and give to all that might appear favourable to the defendant, its full weight, while they viewed the evidence of the prosecution with great caution.

Mr. John Buchannon was, he said, in the coffee-room of the London Coffee-house, where, about seven o'clock in the evening the defendant and Mr. Pigott came in, and sat down together in the next box to him, at which time there were a number of gentlemen then in the room. The defendant took up a newspaper, from which he read aloud the account of the defeat of the Dutch, when the defendant said, in a loud and sharp tone of voice, "I wish that the Duke of York and his army were either sent home, or to the Devil." The defendant and Mr. Pigott then had some conversation together, in the course of which the defendant mentioned the King's name with great irreverence, and afterwards drank "the French Republic, or Constitution," but he could not say which; in which Pigott said he would join him. These toasts were all given in so loud a tone of voice, that every person in the coffee-room could hear him. The defendant had three glasses of punch; upon

upon hearing the last toast, all the gentlemen in the coffee-room rose up and drank the King's health; immediately the defendant stood up, and, with his glass in his hand, gave "the French Republic, and may it triumph over all the Governments in Europe."—The witness, on his cross examination, by the defendant, said, that he believed the defendant and Pigott were two hours in the coffee-room. The defendant did not address himself to any individual, but to the company at large; and when they drank the King's health, he said, "What are you all?" A Mr. Newman called the defendant a rascal, and held his fist up to him in a threatening manner.

Mr. John Leach, who keeps the London Coffee-house, in which the transaction took place, confirmed the testimony of the former witness, as to the seditious toast given by the defendant, and added, that he was frequently applied to by the gentlemen who were in the coffee-room, to turn the defendant and Mr. Pigott out of the house; that he did not attempt that, but sent for an officer, into whose custody he delivered him.

Mr. Thomas Griffiths Vaughan, and Mr. White Newman, also confirmed the testimony of the first witness.

The evidence on the part of the prosecution being closed, the prisoner, who conducted his own defence, addressed the Court and Jury, saying, that contrary to the custom which had obtained for a long time past, and in his own opinion but too generally, of employing Counsel, he had rejected such aid, and had determined on exercising one of the Rights of Nature, by defending himself, and by shunning the chicanery and intricacy of the law, which had become proverbial.

He

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He was brought to answer as a criminal at the bar of the Court, for that which a century ago would have been deemed meritorious; namely, for exercising the Liberty of Speech---a liberty which had been purchased by the blood of our ancestors, and secured to us by the Bill of Rights. But of the mutability of human affairs there was a recent instance, in the conviction of a man for reprinting "the Works of our present immaculate Minister, and some of his co-adjutors." He agreed, he said, with the learned Counsel who opened the prosecution, that the trial by Jury was one of the dearest privileges of a Briton, and hoped that in the present case they would prove their utility, by guarding the liberty of an individual, and one of the dearest liberties of their countrymen---the Freedom of Speech. He said, he should chiefly rest his defence upon three heads: 1st, On the illegality of the original caption; 2d, On the right of free discussion; and 3d, On the intention with which the words were spoken. Upon the first head he insisted, that it was contrary to *Magna Charta*, and to the opinion of several of our most famous lawyers, that any person should be apprehended and put into custody but under warrant, which was not the case, for he was put into custody by the keeper of the tavern, and immediately taken to the Poultry Compter. Mr. Leach was the *Lettre de Cachet*, and the dungeon of the Poultry Compter was the Bastille. In support of his argument, he cited the works of several commentators on the laws of his country. The right of free discussion, he insisted was the inherent birth-right of an Englishman, purchased by the blood of our forefathers, and secured to us by King William in the Bill of Rights; and that it

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was endured that a tavern keeper, or a man like Mr. Newman, "whose conduct was as hot as Cayenne pepper, and whose wrath was as sharp as vinegar," should interpret men's words or actions, and to dub them criminal at their will, even the gentlemen of the Jury would not be safe, but would be liable to be hauled away to a prison, from a coffee-house in which they were drinking their wine, by some Janus of a tavern keeper, who, like Mr. Leach, while he pocketed their money, would betray them: as to the intention with which the words were spoken, he could not, as he had no witness to call, attempt to deny some of the expressions that had been stated, but endeavoured to impress the Jury with a notion that there had been a material contradiction as to the words made use of by him, and which materially altered their sense. He also endeavoured to convince the Jury, that the expressions were drawn from him by the experiments and rude behaviour he experienced from the company, but particularly from Mr. Newman, who, he said, wanted by threats and violence to *oblige* him to drink the King's health: He concluded his defence, which took up two hours, by exhorting the Jury to guard over the liberties of their countrymen; and not by convicting them, for exercising the freedom of speech, sign the death warrant of their liberties.

The Recorder summed up the evidence in a very fair and impartial manner; when, after retiring for about a quarter of an hour, the Jury returned a verdict—*Guilty*.

This trial lasted from eleven o'clock in the morning until six in the evening.

Mr. Hodgson received the following sentence--- To be imprisoned in Newgate for two years ; to pay a fine of 200l. and to give security for his good behaviour for two years more, himself in 200l. and two sureties in 100l. each.

The tongue, as Æsop remarks, is a dangerous thing, and we should always keep a steady bridle---freedom of speech should never be indulged too far, for then calumny and slander would be continually buzzing in our ears.---Shall we take away a neighbour's good name, " which not enriches us, and makes him poor indeed," through a wanton delight of free converse ? It is a crime of considerable magnitude, and still greater, when we presume to defame our superiors.

*The remarkable Trial of JOHN RICHARDS, for
Stealing Six Bank Notes from his Master.*

JOHAN RICHARDS was indicted for stealing six bank notes, of the value of 200l. the property of Mr. Thomas Lewis.

The prosecutor is an attorney of eminence in Gray's Inn, and the prisoner was his copying clerk, at a weekly salary.

Mr. Lewis swore, that on the 29th of July, 1793, he drew a draft on Messrs. Child and Co. the bankers, for 200l. and desired Mr. Vizard, his confidential clerk, to carry it to the bankers, and receive the money. Mr. Lewis never received the money ; but he had no doubt it was paid by Messrs. Child, for they had debited him for that sum.

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Mr. Vizard swore, that on the 29th of July, he received a draft of Mr. Lewis, for 200l. went to Messrs. Child, and received the money in six bank notes. When he returned to Gray's Inn, he left the notes on his desk; he then went away, leaving the prisoner, and another clerk, of the name of Ward: this was about half after three in the afternoon. He came back about five, and missed the notes, with which he acquainted Mr. Lewis: the prisoner at this time was gone away. The witness then went to Bow-street, and took an officer with him to the prisoner's lodgings, No. 9, Temple-street, St. George's Fields. They found him at home, and much in liquor; they searched him, and found five of the notes in his possession; the other he had changed for cash. He told them to take the 200l. and to return to him what was his, which they did.

The notes were then identified by a memorandum taken by Mr. Ward, and examined by Mr. Vizard, at the time they were left on the desk.

The prisoner said in his defence, that he was left alone in the office, and having occasion to go down stairs, and not finding the key of the outer door of the chamber, he was afraid of leaving the notes on the desk, he therefore took them with him. He then went to a public house, where he drank too much brandy and water: he became intoxicated, and, in that situation, he was ashamed to see Mr. Lewis; therefore he went home, with an intention of returning the money the next day. He referred to Mr. Lewis for a character.

Mr. Lewis said, he had been with him only a month, but that he had an excellent character of him

him from a respectable gentleman, whom the prisoner had served for upwards of twenty years.

The Jury found the prisoner—*Guilty*; but recommended him to mercy.

Mr. Justice Heath told the Jury he should pay regard to their recommendation.

There were certainly some striking circumstances in favour of the prisoner: his having the *whole* money to return---his not absconding, &c. entitled him to mercy; however his having changed *one* of the notes operated much against him; this, however, might have been the result of intoxication---how often is drunkenness the cause of fatal folly—"Oh! that men should put an enemy into their mouths to steal away their brains."

*The remarkable Trial of DANIEL HOLT, for seditious Publications, and the Rev. Mr. WIN-
TERBOTTOM, for two seditious Sermons.*

D. HOLT, having been found guilty in the Court of King's Bench, of printing and publishing two libels, the Attorney General having prayed the judgment of their Lordships, November 27, 1793, Mr. Justice Ashurst proceeded:—"Daniel Holt, you have been tried and found guilty, on two indictments, for printing and publishing two very scandalous and atrocious Libels. The first is entitled "An Address to the Addressers," and the second is entitled "An Address to the Tradesmen, Mechanics and Labourers of Newark, on a Parliamentary Reform." The first paper alludes to [his Majesty's proclamation, and asserts, that the many addresses
expressive

expressive of loyalty and attachment that were in consequence presented to the King, came only from persons who were desirous of promoting their own interest. Those loyal addresses have counteracted the evil and pernicious designs that were intended to have been put in execution in this country. The tendency of this address was to bring his Majesty's proclamation into contempt. It is stated in this paper, that the government of this country is a system of oppression; that it is radically bad, and that a reform cannot be brought about by the parliament, but by the people. It approves of a convention, and has a tendency to traduce and villify all kingly governments. It boldly calls upon the people to revolt. This certainly stands in the first rank of sedition. The French convention by this paper is strongly recommended, which is the corner stone of all that rapine, anarchy, confusion, murder, and proscription, by which that unhappy country has been ravaged. It is alledged in extenuation, that you are not the author of the Libel; but how does this operate? it is enough to have persisted in the crime; you have not only cherished, but have given existence to pernicious doctrines; you have endeavoured to cram down the mouths of the people those doctrines which they had, by signal marks of loyalty, rejected. It has been alledged, that this paper was published ten years ago, and that then it was considered innocent; but such an argument can by no means hold.—It cannot be considered by any man who reads it as a simple and innocent publication--- If that were the case, why was it not set up in the same type, and why not state the year? Why, divested of the innocent garb of innocence, you directed this Address to the

the

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the tradesmen of Newark?—How were they to know that it was published before; and why were they not to apply it to the parliament of Great Britain?—The learned Judge left the matter to the Jury, and they were satisfied that you were guilty—The malignity of this paper is therefore established—It is for this Court to temper justice with mercy, but no palliation has been urged by your Counsel—This Court having taken the magnitude of the offence into their consideration, do order and adjudge, that for the first offence you pay a fine of 50*l.* to the King, and be imprisoned in his Majesty's gaol of Newgate for the space of two years, and that for the second offence, you pay a fine of 50*l.* to the King, and be imprisoned in his Majesty's gaol of Newgate for the space of two years, to be computed from the expiration of the last imprisonment: and that you find security for your good behaviour for the term of five years, yourself in 200*l.* and two sureties in 150*l.* each."

The defendant was immediately taken into custody.

The Rev. Mr. WINTERBOTTOM was also convicted before Mr. Baron PERRY, at the assizes for the county of Devon, 1793, for preaching a seditious sermon at Plymouth, on the 5th of November, 1792.

In the course of this discourse, the defendant talked a great deal about the Revolution in 1688. He was sorry to see the laws so much abused as they were at present. He also spoke of the French Revolution, and he did not doubt but that would open the eyes of every Briton. He asked, why the streets were so crowded with vagrants, the
work-

workhouses with beggars, and the gaols with thieves? All this, he said, was to be attributed to our oppressive taxes.—It was high time for the people of this country to stand forward and assert their rights. He made mention of the national debt—he denied that any part of it was paid off; it was only like taking money out of one pocket, and putting it into another. He said his Majesty had no more right to the throne than the Stuarts, if he did not maintain the laws and established rules of the country.—He urged, that the *Revolution in France was wisely calculated for spreading the Gospel through twenty-five millions of people!*

The defendant was also indicted and convicted at the same time, for preaching at Plymouth another seditious sermon, on the 18th of November, 1792. He took his text from Romans xiii. 13. viz. “The night is far spent, the day is at hand; let us therefore cast off the works of darkness, and let us put on the armour of light.” In the course of this discourse, the defendant introduced several strong observations.

After the evidence on both sides had been heard, the Jury, without hesitation, found the defendant *guilty.*

Judgment having been prayed, Mr. Justice Ashhurst thus addressed the defendant: “William Winterbottom, you have been found guilty of preaching two seditious and atrocious sermons. The first act of this daring profligacy you committed on the 5th of November, and the second, on the 18th of the same month. It has been stated, that you are a dissenting preacher—of what sect of religion you are, I know not; but I can collect from your preaching, that you are not at all connected with the Christian religion—for the Christian religion, after first regarding the duty

duty of God, teaches and inspires love for, and obedience to, the established government; but the tendency of your doctrine is to overturn all order, religion, morality, and government, and to introduce anarchy and confusion. Your doctrine goes to the abuse of that toleration by which it is meant, that every man may be at liberty to reverence God in the way that his conscience may dictate. But your conscience dictates no such principles; therefore the means that you have taken is a double aggravation of your guilt, and merits a two-fold punishment. In one part of your sermon, you approve of the Revolution in France. As to the first proposition, it is sufficient that the pernicious designs intended to have been executed, are frustrated. As to your second opinion, that the French Revolution would open the eyes of the People of England, there I agree with you—it does open the eyes of the people—it has taken the veil from off the *backward* system of liberty and equality. All practical equality consists in the affording equal protection.—This chimerical project has been tried in a neighbouring nation, the lamentable effects of which will be handed down with sorrow to the latest generation. This system, which has been tried, must press upon the minds of men, and must operate more forcibly than a volume of arguments. As to your second proposition, it is impossible to be justified—you have alledged that the present form of government is a scourge on the people; but that the yoke of bondage will be soon broken; that persecution is near its end, and that every man will soon have to boast of *equality*. As to your saying that the French Revolution will open the eyes of the people, I trust it will also open your eyes, and be a scourge to those who wish to

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introduce anarchy and confusion. This court having taken the malignity of your offence into their serious consideration, do consequently order and adjudge, that for your first offence, you pay a fine of 100*l.* to the King, and that you be imprisoned in the New Prison, Clerkenwell, in the county of Middlesex, for the term of two years; and that for your second offence, you pay a fine of 100*l.* to the King, and be imprisoned in the New Prison, in Clerkenwell, for the term of two years, to be computed after the expiration of your first imprisonment; and that at the end of your imprisonment, you give security for your good behaviour for the term of five years, yourself in 500*l.* and two sureties in 250*l.* each."

The defendant then wished to address the court, but Lord Kenyon told him, "the court cannot hear you now.—It would have been the duty of the court to have heard you, if you had offered any thing before sentence was passed; notwithstanding the source of mercy is open to you."

The defendant was immediately taken into custody.

The evil tendency of unguarded expressions, and libellous publications is well known; to propagate opinions injurious to the state, can never be of service to the authors, and may be of infinite danger to the hearers; for people of weak understandings are too apt to be led away by the erroneous sentiments of those whom they imagine competent of judging. We should shew both our wisdom and prudence if we kept to ourselves whatever opinions we were pleased to form, when derogatory to those that are in general approved of.

The Remarkable Trial and Conviction of JOHN HILL, for robbing THOMAS MILLER, of two dead Fowls.

JOHN HILL was indicted in the Sessions for 1793, for making an assault on the king's highway on Thomas Miller, on the 11th of June, and putting him in fear, and feloniously taking from his person, and against his will, two dead fowls, value seven shillings, the goods of John Osmond.

Thomas Miller was a servant to Mr. Osmond, who was a poulterer. He deposed, that between one and two in the afternoon, on Tuesday the 11th of June, as he was coming up Jewry-street, in the city, with two fowls in a tray, and the tray on his shoulder, that this man stopped him, and said he must have the two fowls, for the servant would make a noise at him because they were so late; he had come and ordered them for Mr. Slater, who was a customer of his master's; he was present when they were ordered. He said he should not have the fowls; but Hill said he would have them, and laid hold of the skewers, and notwithstanding the other held the legs, he pulled them out of the tray, and ran away as fast as he could, the other pursuing him: Hill now went up a court, in the Little Minories, and asked for a person of the name of Sally, that lived there, whom he wanted to go into the house to, but the people would not let him: accordingly he came out, and being pursued again, ran as far as the Little Minories; he kept the fowls all the while in his right hand; and upon Miller's approaching him, he knocked

W. COOK alias BAILIS—*for stealing.* . 171

knocked him down, and kicked him on the side; so he was stunned, and could not pursue him any longer; he then made his escape. Miller, when he had recovered himself, went to Mr. Slater, where he was told that no fowls were ordered.

John Dungate, a green grocer, deposed, that there was a scuffle near his door, and the fowls were dropped: he saw the prisoner drop them in Church-lane, Whitechapel---he picked them up; a man was pursuing the prisoner, and crying out "Stop Thief!" The fowls were taken to the Rotation Office, and the shopman said they were his fowls, in the presence of the prisoner.

The prisoner was found guilty---*Death.* But on account of the smallness of the injury done to the prosecutor, he was recommended to mercy.

The magnitude of the crime does not however rest upon the greatness of the thing that is taken; one trivial robbery leads to a greater; - and it is a fortunate circumstance, when the career of a culprit is checked in time!

*The Trial and Conviction of WILLIAM COOK,
alias BAILIS, for stealing.*

WILLIAM COOK alias BAILIS, was in December sessions, 1793, indicted for privately stealing in the shop of John Fuller, a till, containing half-a-guinea, ten shillings and sixpence, and a quantity of halfpence.

The prosecutor said, he kept a pork shop in Orange-street, Bloomsbury; in the evening of the 23d of October, he had just gone up stairs, when on his daughter calling out that he had been robbed, he run into his shop and missed his till,
which

which contained the property stated in the indictment. He afterwards found the prisoner in custody at the watch-house.

Benjamin Spriggs searched the prisoner when brought to the watch-house, and found on him the money stated in the indictment, a dark lantern, several pick-lock keys, a box of phosphorous and matches, and a pistol, which was loaded; he produced the till, which he said was brought into the watch-house after the prisoner was taken.

The prosecutor swore, from some particular marks about the half guinea, that it was the same which had been stolen from his shop.

John Godfrey, who lives at the next door to the prosecutor, said, that on being informed that Mr. Fuller had been robbed, he went in pursuit of the robber, and in Red-lion-square found the prisoner standing with three other men, and on his going up to them, one of them said, "Blasphemy, what do you want?" and immediately a second said, "Damn him, shoot him," and the prisoner drew a pistol from his pocket, and snapt it at him, when a gentleman who came up to his assistance, knocked the prisoner down, and as he was rising, he again presented the pistol, but it was forced from him, and with the assistance of the person who knocked the prisoner down, and a bricklayer, he took him to the watch-house. When the witness first went up to the prisoner, he had in his hand a drawer, out of which he was emptying the money into his pocket. Another witness confirmed Mr. Godfrey's testimony.

Baron Perryn, in summing up the evidence, remarked to the Jury, that the act which made the charge against the prisoner a capital offence, said, that stealing goods, wares, or merchandize,

to the value of five shillings, privately in the shop, should be punished with death; and it was the opinion of Judge Foster, that the property so privately stolen, to come within the meaning of this act, must be goods wherein the person whose property it is, deals; the Jury might therefore acquit the prisoner of the capital part of the charge.

The Jury found the prisoner guilty of stealing, but not privately.

The Foreman of the Jury addressed the Court, saying, that it was the wish of the Jury that the country should be rid of so dangerous an offender as the prisoner appeared to be, who, it seems, has been seven years on board of the Hulks.

The Judge said, that he should transport him for seven years to Botany Bay, and that *it was not likely he ever would return from thence.*

The character of a man chiefly operates either for or against him—if good, it is considerably in his favour, and often recommends him to our mercy and pity---but, if on the contrary, it will not bear scrutiny, it goes in a great measure to convict him.

Particulars of SKIRVING and MARGAROT, who were tried before the High Court of Justiciary, at Edinburgh, for seditious Practices.

IN the morning of January 6, 1794, the Court proceeded in the trial of WILLIAM SKIRVING, late tenant in Damhead, designing himself, of Stratheddie, residing in Edinburgh. He was accused, at the instance of his Majesty's Advocate, of circulating, or causing to be circulated a seditious writing or paper, dated "*Dundee Bearer*"

rean Meeting-house, July, 1793." This was the same hand bill for which Mr. Palmer was sentenced to transportation. He was further charged with having been a member of a society denominated, "*Friends of the People*," which met at Edinburgh, October 4, 1793; and of having then composed or written, or caused to be composed or written, a seditious and inflammatory hand bill, calling upon other seditious associations to convocate together, and holding out threatenings against those who may counteract their seditious proceedings; or, at least, that he did recommend and approve of said hand bill, which, among other things, contained passages, calling upon different denominations of the people, in its own language, all the rabble, to demand, with the firm and energetic voice of justice, the peaceable restitution of their rights. This hand bill also contained the thanks of the meeting to Mr. Skirving, for having invited societies to join in the common cause.

The libel further stated, that in consequence of this hand bill, a meeting was held at Edinburgh in October, which presumptuously and seditiously arrogated to themselves the name of the *British Convention of the Delegates of the People, associated to obtain Universal Suffrage and Annual Parliaments*, and that the members of this association did in October, November, and December last, in imitation of the French Convention, call each other by the name of Citizens; divide themselves into Sections; appoint committees of various kinds, such as, of Organization, of Instruction, of Finance, and of Secrecy; denominate their meetings, Sitzings; grand honours of Sitzings; and inscribe their minutes with the first year of the British Convention.

And

And the said meeting came to various seditious resolutions.

The said William Skirving was further charged with having made the following motions :---

“ That the Convention express its ardent desire to cultivate a more close union with the societies in England.

“ That an address to the public should be drawn up by the Committee of Union.

“ That a Committee of Finance be appointed.

“ That the Delegates from the country, who may run short of money by the prolongation of the business of the Convention, shall be supplied by the Treasurer.

“ That all the Members, both of the Convention, and of the Primary Societies, should subscribe a solemn league and covenant.”

He was further charged with having been present at a meeting in Blackfriar's Wynd, upon the 5th of December last, where the members resisted the authority of the Magistrates, who ordered them to disperse. (A similar charge was made for having resisted the Magistrates and Sheriff the following night, when attempting to dismiss the said society then met in St. Patrick's Square.)

The libel further charged William Skirving with having attempted to convene a meeting of the Friends of the People in the Cock Pit, Grass-market, on the 12th of December last, contrary to the proclamation of the Magistrates and Sheriff.

The libel concluded, that all, or part thereof, being found proven by the verdict of an assize, William Skirving ought to be punished with the pains of law.

When the indictment was read over, he was asked

asked by the Lord Justice Clerk whether he was guilty or not guilty? To this he answered, I am conscious of no guilt, my Lord.

He conducted his defence without the assistance of agent or counsel—and after a long trial, he was found guilty of sedition, and sentenced to fourteen years transportation.

After the verdict was recorded, and before sentence was passed, the pannel addressed the court. He said, by an unlucky accident, he had been deprived of counsel yesterday on his trial, but had this morning received, by post, what he had expected, viz. the opinion of English counsel on his trial; and although it had arrived in some degree too late, yet even at this period it might not perhaps be altogether useless. He then stated the opinion of the English counsel to be, that the indictment was illegal in so far as it charged him to be guilty art or part of the crime libelled. On such a charge as this, he was informed, no legal trial could proceed. He also stated, that to this hour, although he had often asked, he had never yet been informed what sedition was.

When their Lordships delivered their opinions as to what punishment should be inflicted, they also took notice of the opinion of the English counsel, of whom they said, that, however knowing he might be in the law of England, he was grossly ignorant of the law of Scotland, else he would have known that there was a special act of parliament authorising the charge of art and part.

After sentence was pronounced, the pannel addressed the court, saying, the sentence did not at all appal him, that he had long since learned to throw aside all fear of man; but this sentence

would be rejudged, and that was all his comfort and all his hope.

The Lord Provost and Magistrates followed up their proclamations, by assembling an immense body of officers and others to keep the peace; they issued an order that no hackney-coaches should ply in the streets, and on the 13th in the morning, the Lord Provost appeared at the head of the force collected to disperse any tumultuous cavalcade that might accompany Margarot to the court. About ten o'clock Mr. Margarot and his friends appeared, surrounded by a multitude of people, all on foot, and ranged in rank and file, bearing a white flag, on which were inscribed these words, *Law, Liberty, Reason, Justice, and Truth*. The mob had no weapons of any kind, and were perfectly quiet. As soon as they made their appearance entering the bridge from the new town, the Provost and his cavalcade marched forward to meet them, and the two bodies met on the bridge. The magistrates immediately seized the flag, dispersed the multitude, took some of the most forward of the mob into custody, and then proceeded to the parliament house with Margarot and his friend Mr. Brown, where they left him to take his trial, while they went to hold a council to deliberate on what further steps they should take for the preservation of the peace.

The trial commenced immediately, Mr. Maurice Margarot was accused of different seditious practices; he conducted his own defence: the court over-ruled all the objections which the prisoner made—his challenges of the jury they resisted---and every preliminary motion which he made they set aside, and the Jury were impanelled.

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The trial lasted till three o'clock on Tuesday morning, when sentence of transportation for fourteen years was passed upon him.

The remarkable Trial and Conviction of JEREMIAH READING, for Forgery.

JEREMIAH READING was tried for forging the name of John King, as an acceptance to a bill of exchange for the sum of 80*l.* with intent to defraud William Dolben and Richard Brown.

William Dolben is partner with Brown, linen-drappers, in Bishopsgate-street. In Feb. 1792, the prisoner, who had been for a considerable time indebted to them in 9*l.* applied to him, saying, he had now the means of discharging the arrears, having received a note, which he wished to have discounted. For that night he wished to receive only 10*l.* which he had immediate occasion for. He described White, the drawer of the bill, to be a reputable merchant in Bristol; and King, the acceptor, a man of opulence, who resided in a large house in Berkeley-street, Portman-square, and kept a carriage, livery servants, &c.

The witness remarked, that the acceptance in the bill appeared in the place where indorsements are usually made. To this the prisoner replied, that when he took the bill he made the same observation; but, that Mr. King assured him he always accepted his bills, in that way, and that it should be regularly honoured when it became due. He then gave him 20*l.* for which he took his receipt.

The prisoner, not returning for the remainder of the money, excited suspicion, and induced the witness

witness to make inquiry after the drawer and acceptor. The result was, that White had once resided in Bristol, but had disappeared for two years; but as to King, no such person was to be found in Berkeley-street. The witness having occasion to pay a visit in the King's Bench, found Reading a prisoner there, and brought him on his trial.

A servant in the prosecutor's house corroborated this testimony; and the collector of the taxes said, that no person of the name of King was a yearly house-keeper in Berkeley-street; otherwise he must have known him.

This was the scope of the evidence for the prosecution.

In defence one Clark appeared, who swore that he lived as clerk in the house of White, in Bristol, and recollected having copied the note in question, and its being forwarded to King in Berkeley-street. The witness underwent an examination of two hours, in which he was required to give an account of himself. This he did in a very extraordinary manner, beginning at the time when he was only three years old;---but it was found impossible to extract from him the manner in which he employed himself for the last eighteen months.

Allen, a hair-dresser, deposed, that he lived near Soho-square, in good business; and that, in the year 1792, he dressed a Mr. King, in Berkeley-street, Portman-square. He recollected, that about the end of February, the prisoner came to Mr. King, while he was dressing him, and presented a bill, which he accepted. He added, that all that conversation took place relative to the extraordinary mode of indorsement, &c. which was

related by the prisoner when passing the bill upon Dolben. He also stated a circumstance of King's receiving a letter addressed to him under the name of Nugent.

Several witnesses gave the prisoner a good character, amongst whom was a Miss Davis, whose mother's house in Berkeley-street he frequented for three years.

Mr. Justice Grosse summed up this very intricate evidence in a very able and circumstantial manner. He commented upon all the points, and when he came to that which regarded King's passing by the name of Nugent,

Miss Davis requested the liberty of interrupting him. She said, that the mention of the name of Nugent called a circumstance to her remembrance, which, as it may affect the case before the court, she thought it her duty to state, though she could not have done so in her direct evidence; the whole having been suggested by the testimony of another witness. She then related, that a person of the name of Nugent had taken lodgings at her mother's, and refused to give any reference for character, saying there was no occasion for it, as he was a regular man, and would pay weekly. He afterwards absconded in the night; and on sweeping the room one morning, she found a pawnbroker's duplicate of an article pledged in the name of John King. Having never seen a pawnbroker's ticket before, she shewed it to a gentleman, and their mutual curiosity led them to pay a visit to the pawnbroker. The latter told them, that he had directions to stop any person who should apply with the ticket; and that the instruction was given by the person who deposited the pledge. On the affair being explained, the pawnbroker gave

gave a description of the man, which perfectly corresponded with the person of Nugent.

She was desired to produce the ticket, and said, that having no idea that such a circumstance would apply in evidence to this case, she had not brought it with her, as she otherwise would have done.

The learned judge, after a short hesitation, proceeded to his charge. He remarked, that what they had last heard went in a great measure to confirm the evidence of Allen. If the Jury should be led to attribute the whole to a foul and fraudulent conspiracy of White and King as an expedient for raising money, and that the prisoner was only a scape-goat in their hands, it was not a forgery, as charged in the indictment, and they must of course acquit him. They were not to convict upon doubt, inference, probability, or conjecture. The question to be considered was, whether the prisoner uttered this instrument knowing it to be forged? If they believed the evidence of Allen and Clark, corroborated by that of Davis, the charge was fully rebutted; if not, the other evidence was sufficient to convict him.

The Jury, after retiring for a considerable time, returned with a verdict, finding the prisoner *Guilty* on the second count of the indictment--*Guilty* of uttering the bill, knowing it to be forged—*Death*.

The learned judge, however, thought proper to reserve the case for the opinion of the Judges; and accordingly, at the Sessions House in the Old Bailey, 1794, the Judges were of opinion, that as the indictment stated the bill to be directed to John King, by the name and description of John King, and as there was no person to be found as
John

John King, that their description was erroneous, and repugnant to the precision the law required in the form of indictments, and that therefore the judgment ought to be arrested. The case, however, being of great public importance, the judges were of opinion that the prisoner ought not to be discharged, as the prosecutor was at liberty to prefer a new indictment against him. The prisoner was of course detained in custody. However, on the succeeding month, March, he received his Majesty's free pardon.

If, as the learned judge observed, Reading was only a scape-goat in the hands of White and King, who were mere swindlers as reported, we see in what distress and danger we may be involved by keeping improper company---“ Evil communications corrupt good manners,” and many an unfortunate wretch has come to an ignominious death, through the vices of his companions !

The Trials, Execution, &c. of the notorious Offenders, JOHN RABBITS for Robbery, and WILLIAM BROWN.

JOHN RABBITS, an old offender, was convicted of having robbed Elbro' Woodcock, Esq. of a gold watch and bank notes, amounting together to 90l. in the month of June, 1792. It appeared, that Mr. Woodcock was passing in the evening through Bedford-row, when a man ran against him and knocked him down, and two others came up, and on pretence of assisting him, robbed him of the above property. Daniel Driscoll, one of the accomplices, who was admitted an evidence for the crown, said, that he, in company

pany with Rabbits and another, who had been convicted for another offence, but received a conditional pardon, were passing through Bedford-row, that he (Driscoll) ran against Mr. Woodcock and knocked him down, and ran on, and that the other two came up, on pretence of assisting him, and robbed him of his property.

He was also indicted, with Charles Beasley, for robbing and assaulting James Sayer, on the highway, and feloniously taking from his person 2l. 12s.

The prosecutor keeps an inn at Slough; on the 18th of July 1792, he was going home from London in a post-chaise, accompanied by another gentleman; on Smallbury-Green he was stopped by four footpads, two of whom stood at the horses heads, while the others stood one at each door. Randall, one of the footpads, who was tried at the following sessions for this offence, convicted, and has been since executed, opened the door on the prosecutor's side, and standing upon the footstep, presented a pistol to his breast, and demanded his money. He gave him two guineas and ten or twelve shillings, but the prisoner was not satisfied with that, and demanding more money, began to feel the prosecutor's pocket, which so enraged him, that he attempted to push Randall off the step, and he retreated; on which the prosecutor jumped out, and on calling out for assistance, and observing some persons coming towards him from a neighbouring public-house, the footpads all endeavoured to escape through a hedge; they were pursued, and Randall only was taken.

Daniel Driscoll, an accomplice, was admitted an evidence for the crown, and deposed that he had long known both Randall and the prisoners;
that

that they all four, on the same 18th of July, agreed to go on the highway in order to rob, and for this purpose they purchased at the shop of a pawnbroker, in Ryder's-court, two pair of pistols, for one pair of which they gave a guinea, and for the other 15s; from this shop they went to Hyde Parker Corner, and there got into a coach, in which they went to Brentford, from whence they went to Smallbury Green, and stopped at the Castle public-house there, where they drank four pots of porter; after which they walked into a lane leading to Isleworth, where they charged their pistols, and remained until it was dusk; they then again entered the high road, and soon after stopped the prosecutor, whom they robbed.

On cross-examination the witness said, that he had been in the service of several medical men, and having acquired some knowledge of physic, he had practised for himself, but that *for the last eighteen months he had followed the profession of a thief*. Since he had been in confinement he had written a detail of the circumstances attending every robbery in which he had been concerned.

Catherine Norris, who keeps the Castle public-house, on Smallbury Green, recollects the prisoners, in company with Driscoll and Randall, coming to her house and drinking four pots of porter, on the 18th of July. She took very particular notice of the prisoners, having been informed that Randall was a *pad*.

A pawnbroker proved, that on the 18th of July he sold two brace of pistols; one pair for 21s. the other for 15s.

Several other witnesses confirmed various circumstances sworn to by Driscoll—they were both found

WILLIAM BROWN—for Robbery. 185

found guilty—the Jury recommended Beasley to mercy on account of his youth, being only sixteen years of age.

John Rabbits, Charles Beasley, and William Brown, were again indicted for privately stealing in the shop of John Coward, in Cornhill, a glass case, containing seven watches, a gold chain, seals, &c. value 60l. his property.

John Smith, a servant to Mr. Coward, swore, that on the 14th of September, in the afternoon, the prisoner Rabbits first came into the shop; and desired to look at a watch; while the witness was shewing this watch, Brown entered, and requested to look at a watch chain; soon after Beasley came in, and asked where a Mr. Simpson lived; and during the time the witness had turned round to reach another watch from a case for Rabbits to look at, Beasley, who had a great coat in his hand, went out, and Driscoll immediately entering, enquired of the witness if he had got a watch that he had about a fortnight before enquired after; the witness recollecting him, replied that he had not, and in going round to a different part of the shop, in order to shew a chain to Brown, he missed a glass case, which contained the property stated in the indictment. He enquired of Brown and Driscoll if they had seen Beasley (describing him by his dress) take any thing out. They both lamented his loss, and Driscoll went out; Brown remained a few minutes longer, and after having purchased a chain, for which he gave half-a-crown, he followed. He did not see the prisoners again until they were in custody at Bow-street, when he recollected their persons.

Daniel Driscoll (admitted an evidence for the crown) deposed, that about the beginning of September,

tember, he, with the prisoners, went to view Mr. Coward's shop, and Beasley observed, that a glass case, which was in the shop, would be very easily stolen. He confirmed the circumstances of the robbery as stated by the last witness.

The Jury found all the prisoners *Guilty*.

John Rabbitts and William Brown were ordered for execution. Charles Beasley received his Majesty's gracious pardon, on condition of transportation during life—rejecting this clemency, however, he was remanded back to his cell, to await the judgment of his former sentence; but on further consideration he accepted the conditional pardon.

William Brown and John Rabbitts (who was only twenty-five years of age) were executed pursuant to their sentence, on the 5th of Feb. 1794, opposite the debtor's door at the Old Bailey— they confessed several robberies, amongst which was that, and the murder of Mr. Eaton in Berwick-street, Soho; of Mr. Woodcock, who was knocked down and robbed of his watch in Bedford-row, &c. They behaved very penitent, and seemed both sorry for, and conscious of, their manifold crimes.

Thus we see how liable youth is to fall into temptation---No sooner are we able to discern between right and wrong, but sin takes possession of our heart, and also such a deep root, that it is with the greatest difficulty eradicated---how attentive should we then be to the duties of religion, and the choice of our company; for all who herd with wicked men, are not only led astray by their evil habits, but in general betrayed by them.

Execu-

Execution of ELIZABETH MARSH, for the Murder of her Grandfather.

AT Dorchester assize, March 1794, ELIZABETH MARSH, a girl only *fifteen* years of age, convicted of the murder of her grandfather, John Nevil, at Morden, was condemned, and ordered to be executed forty eight hours after.

This girl lived in the house with her grandfather, and with the most deliberate malice deprived the old man (who was seventy years of age) of his life, by giving him two dreadful blows on the head while he was asleep. This unhappy wretch was bred in such extreme ignorance, that she declared until since her confinement, she had been wholly unacquainted with the difference between good and evil, heaven and hell. She was executed according to her sentence.

Thus we see the unhappy effects of rearing children in ignorance--if not timely instructed in the ways of religion, they generally bring shame both upon themselves and family.

The remarkable Condemnation of HENRY GOODIFF, for robbing a Pie-Man at Hounslow Heath.

HENRY GOODIFF was a fine young man, of respectable parents, who, taking a freak into his head, abandoned his friends--On walking over Hounslow Heath, he met with a *tossing-up pye-man*, with whom he stopped to speculate, in hopes of filling an hungry stomach; but, as bad luck would have it, he lost his money, with-

out losing his appetite. In this condition, he foolishly robbed the *pye-man* of the halfpence he had lost, was apprehended, convicted, and condemned.

He was offered his Majesty's gracious pardon on condition of serving in the royal navy. At first he rejected the proffered mercy, but having thought better of it afterwards, he accepted it, and was in March 1794, conducted from Newgate on board the tender off the Tower.

How many youths fall into misfortune and snares by abandoning their family and friends—the most trivial occurrences they meet with, generally lead to great evils. Happy would it be, if like the prodigal in the parable, they would repent in time, and return to their father!

The remarkable Trial, &c. of JOSEPH GERALD, Esq. at Edinburgh, for Sedition.

ON the 10th of March, 1794, came on the trial of JOSEPH GERALD, Esq. late of Bloomsbury-square, London. The accusation, at the instance of the Lord Advocate of Scotland, charged him with being a member of a seditious association, called "The British Convention," which met at Edinburgh in November and December the preceding year; and that, on the 21st and 28th of November he made addresses of a seditious nature to the members of the said convention. (*These speeches were given at length in the indictment.*) The indictment also charged Mr. Gerald with being present in the convention when the magistrates and sheriff went to disperse the members. The libel was restricted to an arbitrary punishment.

When

When the Court met, before the libel was read over, Mr. Gerald objected to the Lord Justice Clerk sitting on the Bench.— Upon this his Lordship rose, and Lord Henderland took the chair.

Mr. Gerald then presented a written minute, containing the specific objections to his Lordship's sitting on the Bench, and the facts which he offered to prove in support of these objections:— They were, that his Lordship had prejudged his cause, inasmuch as, some time since, when in the house of Mr. Rochead of Inverleith, he said, "What would they think of sending Margarot to Botany Bay, and giving him a whipping also?" This minute he desired might be entered on the records of the Court.

Their Lordships in general were of opinion, that the objection was not well founded, for the words alluded to were merely part of a conversation at table; and could any man suppose, that such language could have any influence upon a judicial procedure? Would it be proper to give force to such a charge, founded on a few loose words, and not at all connected with the proceedings of the Court, nor delivered in the capacity of a Judge? If such objections were to be tolerated, they might be attended with the most dangerous consequences. It was throwing an indignity upon the Court, and was intended as a foul aspersion upon the character of that respectable and learned Judge who was Vice President of the Court, and who added honour to the Bench. Suppose that such words really had been spoken, how could they tend to prejudice the cause of Mr. Gerald, when it remained with a Jury to try him? One of their Lordships remarked, that the charge against the defendant, if true, was highly aggravated.

vated by the ill-founded charge he had now made upon that respectable Judge; and, if a verdict were found against him by the Jury, *he would not say but he might consider Fourteen Years Transportation as too small a punishment to be inflicted.* In the case of Mr. Margarot, he hesitated much whether fourteen years ought to be the punishment, or whether one more severe should be imposed; for, he considered the conduct of that person, in the course of his trial, as highly reprehensible. The accusation which the defendant now made might originate in malice.

Their Lordships resumed the consideration of the objection, and were of opinion that it was irrelevant, and ought to be rejected. Upon this Lord Chief Justice Clerk was called to the Chair. The indictment was then read over, to which the defendant pleaded—Not Guilty.

Mr. Gillies then addressed the Court in defence of Mr. Gerald.

On the 13th, the High Court of Justiciary met agreeable to adjournment, and proceeded on the trial of Joseph Gerald, for sedition.

The pleadings on both sides continued till eleven o'clock at night, when the Jury withdrew, and brought in a verdict next morning at eleven o'clock, unanimously finding the Pannel Guilty, when the Lords passed sentence of Banishment beyond Seas for Fourteen Years, &c.

Mr. Gerald was about thirty-four years of age. He was born in the West Indies, where he inherited considerable property. His first residence in London was under the roof of Dr. Parr, with whom he remained for a number of years.---When he left the care of his learned instructor, he returned to the West Indies, where he married, and where

POWELL and BENTHAM--for Murder. 191.

where his wife now resides. By this lady he had two children, who are now alive, and at school in this country.——For the sake of his posterity, we shall forbear making any comments.

Particulars and Execution of EDWARD POWELL, *for the Murder of* ROBERT FRAMPTON, *at Portsea; and* GREGORY BENTHAM, *for the Murder of* WILLIAM BARNES, *at Portsmouth.*

IN the Lent assizes, at Winchester, EDWARD POWELL, was convicted of the murder of his father-in-law, Robert Frampton, at Portsea; and GREGORY BENTHAM, for the murder of William Barnes, his ship-mate, at Portsmouth. They were both ordered for execution, and their bodies to be anatomized.

Powell, whose name stands first in the above list, was master oar-maker, in Portsmouth dock-yard, a place computed to be worth near 400l. a year; he had married the daughter of Mr. Frampton, the gentleman he murdered; and, till this unhappy affair, had been esteemed a most respectable character. Frequent disagreements with his wife had occasioned appeals to her father; and the old gentleman's espousing the cause of his daughter, appears to have determined Powell, upwards of three years since, to perpetrate the murder, which compunction, or want of opportunity, had so long delayed, but not averted.--- He met him on the Common Hard, and fired a pistol at him, which he repeated, as the first shot miscarried.

Bentham

Bentham was a quarter-master on board the Sceptre man of war, Mr. Barns was coxswain of the same ship, and fell a victim to his friendship for Bentham, who having leave to go on shore for a day, considerably outstaid his time; an officer was sent with part of the crew, to bring him on board a prisoner, who, at the solicitations of the deceased, and on his answering for Bentham's return with him (to which the latter acceded,) left them together: Bentham begged of Barns, that they might drink a glass of grog together, after which he had altered his mind, and refused to go on board the ship: Barns expostulated with him, and urged the necessity of keeping his word with the officer, in vain: he then declared he should go, and attempted to force him out of the house, when Bentham drew a pistol from his pocket, and shot him dead.

These two murderers suffered March 1794, pursuant to their sentence, on the usual temporary gallows, about three quarters of a mile from Winchester.

At the place of execution, Powell, with great fortitude and firmness, said,—

“ Now, my good people, you see us in this unhappy situation, I hope you will take warning by my licentiousness, debauchery, and vice. There were some matters of secrecy that were not known on my trial, which I could wish were made public now; not that they would in the least tend to meliorate my crimes. I hope that no rebukes will fall upon my mother and sisters on account of my bad conduct. I beg that the few writings that I have sent to Mr. Robinson, since I have been in gaol, may be destroyed. Wherever I have travelled through the world, either as a sailor or mechanic,

mechanic, I have ever found that I have been behaved to in a better manner than I thought I deserved. I have——."

Just at this instant, (both criminals being tied up) Bentham, (the cap being drawn over his face, and he in a very weak condition) slipped off the board that went across the cart in which they were, which obliged the executioner immediately to draw the cap over the face of Powell, when they were instantly launched into eternity, and the latter thereby precluded from finishing what he apparently had a great desire to say to the numerous surrounding spectators.

The crime of murder has, from the beginning of the world, been held in a most detestable light. That it is highly offensive in the sight of God, is certainly apparent from its seldom or ever escaping the hand of justice. "The very stones will prate of its whereabouts."

An Account of CHARLES TALMAGE and MARY MALLETT, for Burglary.

AT last Lent affizes, at Winchester, 1794, CHARLES TALMAGE and MARY MALLETT were convicted of breaking open the house of Mrs. Elizabeth Imber, of Winchester, and stealing thereout a considerable quantity of plate, cash, &c.

Mary Mallett set up a plea of pregnancy, in consequence of which, a jury of matrons was impannelled, whose verdict agreeing with the prisoner's declaration, her sentence was respited till the next affizes.

On the 22d of March, in pursuance of his sentence, Charles Talmage was conveyed in a cart to the usual place of execution. He manifested, throughout the whole of this trying scene, a great degree of firmness; acknowledged that he had committed many offences; but solemnly protested his innocence of the crime for which he suffered. A label, containing the following words, was affixed to his breast:—"Be thou my Judge, O Lord, for I am innocently betrayed." Talmage was a very well looking young man, aged 27, a native of Winchester, where he left a father, mother, and other relations.

The Life, Parentage, Behaviour, and Execution of
JOHN JONES, at Kennington Common, for Robbery.

ON Wednesday the 26th of March, 1794, the assizes were held at Kingston, for the county of Surry, when JOHN JONES was indicted for feloniously assaulting Thomas Harrison, on the King's highway, at Lambeth, in the county of Surry, putting him in fear, and feloniously taking from his person, about six guineas in gold, and nine shillings in silver.

The prosecutor related the particulars of the robbery, and swore positively that the prisoner was the man who committed it.

Several other witnesses corroborated the charge against him.

In his defence, he denied the crime, and called witnesses to his character.

The Jury found him guilty, sentence of death was

was passed upon him, and the Judges left him for execution.

This unfortunate criminal was born of Welch parents, who gave him a decent education, and then bound him an apprentice to a fadler.

During his apprenticeship he behaved tolerably well, and being out of his time, worked as a journeyman for two or three years, and bore a good character.

But getting acquainted with idle and loose young fellows, who spent their time in skittle grounds and alehouses, he neglected his business, and, to supply his wants, committed depredations upon the public.

For a time he was so lucky as to raise considerable contributions, without falling into the hands of justice, until growing bold and daring, he committed the robbery which brought him to an untimely end.

When he was executed he was only twenty-five years of age; a good looking man, but rather small in stature.

For some time previous to his being apprehended, he lived with a woman of loose character, and that contributed not a little to bring him to an untimely end.

On the morning of execution, soon after ten o'clock he was put into a cart, and conveyed to Kennington Common, the place of execution for the county of Surry.

After praying some time with the clergyman, the cap was pulled over his eyes, and he was launched into everlasting happiness or misery.

He acknowledged the robbery he suffered for, and desired the spectators to take warning by his untimely death, shun all bad company, and avoid

idleness. He was executed the 14th of April, 1794.

Idleness is the root of all evil—in this remarkable character we see, that as long as industry was pursued, happiness attended, but no sooner was business neglected, than dissipation and ruin followed with their general concomitants, shame and misery.

When herding with the sinful tribe,
We fall into temptation;
And all iniquities imbibe
By such communication.
The proverb says—and we must own,
That just too is the sentence;
“The morals of a man are known,
By marking his acquaintance.”

*Account of the Behaviour and Execution of JOHN
and NATHAN NICHOLS, Father and Son,
for the inhuman Murder of SARAH NICHOLS,
Daughter to the one, and Sister to the other.*

ON the 14th of September, 1793, in the evening, JOHN and NATHAN NICHOLS, waylaid Sarah Nichols, daughter to the former, and sister to the latter: the former drew a stake out of a hedge, and, giving it to his son, urged him with threats to commit the horrid deed of murder; whereupon the boy, striking his sister on the head, knocked her down, and repeated his blows, till he had deprived her of life: he afterwards, at his father's desire, went and tied one of her garters round her neck, and dragged her into a ditch, where she was found the next morning.

Nathan

J. and N. NICHOLS—for Murder. 197

Nathan Nichols was 19, and his unfortunate sister, Sarah Nichols, 17 years of age.

At Suffolk assizes, held at Bury, both the father and son were tried for this wilful and inhuman murder, capitally convicted, and received sentence of death in April 1794.

Two of Nichol's daughters, one a married woman, the other only twelve years of age, gave evidence against their unnatural father, whose monstrous depravity, the Judge observed, in instigating one of his own children to murder another, exceeded every thing he had ever before met with.

On their arrival at the fatal tree, they both persisted in their innocence; and notwithstanding the very ample confession of the boy, he then said, *that his father was innocent, for all he knew*, of the fact for which they were to suffer. The behaviour of the elder Nichols was very undaunted, as he gave away his hat and neckcloth to some persons standing in the crowd, with apparent unconcern; and, on ascending the ladder, addressed himself to the spectators, saying, "Life is but a short passage, and now I am at the last step: of the crime, for which I am going to suffer, I am entirely innocent." After hanging the usual time, the body of the elder Nichols was conveyed to Fakenham, to be hung in chains near the spot (between Homington and Fakenham) where the murder was committed; and the younger one taken for dissection at Bury. John Nichols was about sixty years of age, and had been many years employed as hedge-carpenter to the Duke of Grafton.

Few cases of greater enormity ever appeared before a Court of Justice than that of the Nichols's; indeed it was an instance of inhuman
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and unfeeling barbarity almost unparalleled; that a father should league with, and incite his own son to commit murder on the body of his own daughter, is almost too shocking for conception; but that he did so, appeared evident from the clearest circumstantial testimony. Their impenitent departure from this world is an aggravation of their guilt: the son had evidently imbibed all the wickedness of his father, who was old in sin. What a horrid example of the ferocity of mankind, and the depravity of human nature—it was barbarism exceeding that of the most wanton savages!

Trial and Execution of THOMAS NOBLE, for infamous Extortion at Winchester.

THOMAS NOBLE was capitally convicted at Winchester assizes in 1794, for extorting a guinea from Mr. Moore, of Portsmouth, under a threat of charging him with an unnatural crime, and suffered the sentence of the law at the usual place of execution. Noble was a native of Woodchester in Gloucestershire; his parents, creditable and honest, apprenticed him to a hair-dresser at Bristol, from whom he ran away, and, disregarding the advice of his parents, associated with bad company, broke the sabbath, and lived without the fear of God, till a miserable end finished the career of his vices.

He was for some time in expectation of a reprieve, and in all probability would have obtained it, had not the learned judges seriously considered the enormity of the crime, and the necessity of an exemplary punishment—No offence, murder excepted,

excepted, can be so great---and figuratively speaking, we may call it murder, for it is absolutely destroying not only the peace of an innocent man, but likewise his reputation---“the immediate jewel of our soul”---Noble suffered in April, 1794.

Conviction of ROBERT PERRY, and his two Sons, for Robbery; with the Execution of the Father.

AT Salisbury assizes, ROBERT PERRY, and his two sons, John and William, were capitally convicted of robbing Mr. Powles and Mr. King, of Broad-walk, on the highway---the sons were respited, and the father left for execution.

The father was executed pursuant to his sentence, April 1794, on the temporary drop in the court-yard of Fiherton gaol.---This man was an atrocious offender, and had before been sentenced to transportation for felony, which he had expiated on board the hulks at Woolwich. His present offence was much aggravated by his having induced his two sons to be parties. At the place of execution he behaved with much fortitude, decency, and penitence.

It is a lamentable thing when parents, who should instruct their children and set them a good example, bring them up on the contrary in vice and extravagance---they have much to answer for, and their offspring but little to thank them for.

*The Execution of RICHARD THOMAS, for
Robbery at Radnor.*

AT Radnor assizes, RICHARD THOMAS was capitally convicted of robbing Mrs. E. Lloyd; and received sentence of death. He was accordingly executed on the 6th of June, 1794.

The crime for which he suffered was much aggravated by the cruel manner in which he behaved.---By trade he was a chimney-sweeper, and having formed a design to commit a robbery, he went in the middle of the night to a house inhabited by a Mrs. Elizabeth Lloyd, who lived at Kinarton, in the parish of Old Radnor; the house being rather low, he contrived to climb to the top of it, and then descending down the chimney, he entered the bed-chamber of the affrighted woman, who was soon waked with the noise he made, and the horrid imprecations which he uttered, at the same time threatening to murder her if she did not deliver her money.---The poor woman terrified, begged for mercy, and gave him three shillings, which was all she had in her pocket. He then left her, vowing vengeance if she stirred from the bed, or attempted to discover the deed.

We find it is the brutal behaviour of this man, and not the paltry sum of three shillings which he took, that operated so much against him---it has been already observed, that the sum which is taken does not increase or decrease the crime, for the crime lies in the *intention*: there is no doubt if the woman had *guineas* instead of *shillings*, they would have been more acceptable. The threats &c. of this man made his guilt great, and the parvity of the plunder was no extenuation.

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*The Life, Trial, and Execution of JOHN INNES,
for Forgery.*

JOHN INNES was born at Glasgow in Scotland; his father was a respectable merchant at that place, and gave his son a good education, by which he profited little, but as it enabled him with greater art and cunning to impose upon others. In the earlier part of his life he followed the sea; the instability of his mind not suffering him to follow any settled employ, till his return, when he married an amiable young woman, by whom he had seven children.

During the period of his marriage state, he was sober, steady, and diligent; but on the death of his wife, his rambling disposition returned: he soon spent, in extravagance and debauchery, a decent fortune he had accumulated by trade, and was necessitated to follow some other pursuit. The connection of his family, the good character he had once borne, and his abilities together, soon procured him a situation as a steward of a nobleman's estate. In this situation his mind took a different turn; he became griping and avaricious in the extreme; his conduct was vexatious and oppressive to the tenants, from whom he extorted considerable sums by threats, and continually involving them in law suits, and other difficulties, and then extorting money from them, by way of compromising the dispute.

In this situation he remained till the death of the nobleman, when the estate was sold; he then turned money lender, and practised as a pettifogging attorney, by which unlawful practice, he acquired immense wealth; but his covetous dis-

position was not yet satisfied ; he wanted to gain riches by wholesale, when unluckily he determined upon forging a will, purporting it to be the last will of Anthony Bowman, deceased, with an intent to defraud Sir Charles Morgan, Bart. and Thomas Wright, Esq.

The prisoner brought an action, in the Court of King's Bench, against the prosecutors, to recover money in virtue of the will : but the first witness he called to prove the will, said, that he was nephew to Innes, and at the request of his uncle, came to swear to a falsity, for that he knew the will to be a forgery.

His trial came on February 21, 1794, when his guilt appearing evident, the Jury, without hesitation, brought in their verdict—*Guilty*.

Innes, hardened in iniquity, had for many years preyed upon the public with impunity ; but the even hand of justice at length overtook him, and consigned him to that fate he had so long and so justly deserved ; he left behind him considerable property, for the most part acquired by fraud and plunder.

During his confinement in Newgate, and till the day before his death, he protested his innocence in the most solemn manner, though nothing could be clearer than his guilt ; but when he found all would not save him, and he came to the place of execution, he addressed the spectators in the following words :

“ Good people,—You see in me the victim of early prodigality and late covetousness. In my youth I stuck at nothing to indulge my passion ; when advanced in years, nothing would satisfy my thirst for riches ; and I now justly meet the punishments due to my abominable extortions and wickedness

wickedness. I have hitherto denied my guilt; but now I wish to atone for it in some degree, by acknowledging it before God and man. May every one take warning by my example.—So good people I beg your prayers, may God bless you all, and have mercy on my sinful soul.”—So saying, he met his fate before Newgate, at the Old Bailey, July 11, 1794.

It is amazing how a desire for riches can so often lead us aside from virtue and integrity—how many sell their precious souls for idle dross—yet what can it avail a man though he gain the whole world, if he loses his own soul?

The remarkable Case and Execution of JOHN SWINDEN, for secreting a Letter.

JOHN SWINDEN was a letter sorter in the General Post Office, a situation which gave him frequent opportunities of committing the most dangerous and worst species of robbery, the crime being aggravated by breach of trust. He was indicted for feloniously secreting, in the city of London, a certain letter, containing a Bank of England note, to the value of 15l. which had come into his possession, by virtue of his employ.

Peter Wed and others proved the charge, and he was found guilty; the Jury however recommended him to mercy; but a breach of trust in any of the public offices is of so dangerous a nature, that their humane request could not, consistent with the public property, be in this case complied with.

There was something singular in the case of this unfortunate man. He was first committed to prison in the preceding September, and at the ensuing

sessions, the evidence for the Crown not being ready, his trial was put off, and he was admitted to bail.—He honourably surrendered himself, but put his trial off till next sessions, alledging the absence of a material witness; but when the fatal time came, he was found guilty.

The principal witness, and indeed the only one that could affect the life of this unfortunate man, was so friendly to him, that he absconded, and lay concealed at Birmingham, and the Post-master offered a reward of 50*l.* for discovering him. But Swinden being out upon bail, discovered to a friend, as he thought, where the witness lay hid. This friend discovered the retreat, the witness was brought to London, and Swinden prosecuted to conviction.

Whilst under sentence of death he behaved in a penitent manner, and having good friends, made great interest for a respite, but finding all hopes in vain, he prepared in earnest to meet his awful fate.

The following is a copy of a letter to his wife, while under sentence of death.

Cells of Newgate, Tuesday night, 10 o'clock.

“ My dear wife,

“ Wretch that I am! how shall I expiate my guilt?—my own sufferings cannot sufficiently atone for the load of afflictions I have brought upon you, my dear Mary, and upon our unhappy children. Forgive me, my dear, if you can, and we may yet meet together in a happier place, where there are no wants to tempt us to wickedness. I know you must struggle hard in this world; you will meet with shame and reproach you have not merited; but bear it with resignation; and, above
all

all things, my dear wife, be careful to bring up our children in all humility, inspire them with an early sense of religion, their duty to God and man, and to shun that fatal extravagance which has been their father's ruin; teach them to curb their passions, and to check their unreasonable desires, or like me, they may be tempted, and suffer the punishment so justly due to dishonest practices.

"My dear Mary, I know not how to bid you farewell!—The thought wrings my heart!—but we must part!—a few more unhappy hours, and I shall be no more!—God grant us both strength and grace to bear our sufferings with a patient resignation to his will, and may he, for Christ's sake, forgive us our sins, then we shall be happy for ever after. Farewel, my dear love, farewell!

"JOHN SWINDEN."

The following is a copy of another, written the night before his execution.

"My dear wife,

"I take the last opportunity, allowed me in this world, to return you my dying thanks for the affection, sincerity, and love, which I have ever experienced from you, and particularly during my present awful and deplorable situation. Since it is doomed that we must part, let me beg of you to submit, with patience and resignation, to the will of the Almighty, trusting in the sure and certain hope of a joyful meeting in Heaven, by the blood of our blessed Redeemer, Jesus Christ.

"I beg that you will return my unfeigned thanks to all my friends, for their kind efforts in my favour; and tell my enemies, that I forgive them, as I myself hope to be forgiven.

"And

“ And that the Lord may bleis and comfort you, is the prayer of your dying husband,

“ J. SWINDEN.”

He suffered with John Innes, the subject of the preceding article, and behaved in a very penitent manner.

Severity is absolutely necessary to check the danger that might result from the least lenity shewn to a breach of trust.—It is to be hoped that all who are thus entrusted will guard against temptation and dishonesty.

The Trial, Lives, Conviction, &c. of ROBERT RAINÉ and WILLIAM EVERSFIELD, for Robbery.

ROBERT RAINÉ and WILLIAM EVERSFIELD were indicted for feloniously assaulting Elizabeth Carter, putting her in fear, and forcibly taking from her person a pocket, containing a pair of spectacles and other things.

Elizabeth Carter swore, that on the 5th of March, as she was returning from Islington, at nine in the evening, she was pushed off the footpath, in Spa Fields, Clerkenwell, by the two prisoners at the bar.

Eversfield tripped her up, and throwing himself upon her, called out to his comrade to give him a knife.

That a knife being given him, he cut off her pocket, which he delivered to Rainé, who ran off with it. After which Eversfield struck her several blows in the face, which caused her mouth
and

and nose to bleed in a violent manner. Soon after this a watchman came up, and took her under his protection, and leading her towards his box, she heard the cry of watch! Almost immediately after this, she saw Eversfield delivered by a gentleman into the custody of the officer. She immediately knew him to be one of the men who robbed her.

The patrol of Clerkenwell parish being informed by a casual passenger, that a woman lay bleeding in the grass, went to the place, and found her in the situation described. He was leading her along, when he was called by a gentleman, who delivered Eversfield into his custody.

Mr. Surrell said, that he was an attorney, and lived in the Spa Fields, that on the 5th of March, about ten at night, he was attacked by the two prisoners, near his own house, who attempted to rob him of a small bundle which he had in his hand. He immediately seized Eversfield, and delivered him to the patrol.

The patrol, in consequence of the woman's description, apprehended Raine the next day, and found in his possession a pair of spectacles, a nutmeg grater, &c. all which articles the prosecutrix swore to.

The prisoners in their defence said, that the prosecutrix frequently visited them in prison, and expressed an unwillingness to prosecute them; that she agreed to make it up for six guineas, and had received two guineas in part.

Elizabeth Carter, on being questioned by the Court, said, that at the earnest intreaty of Raine's wife, she went once to Newgate.

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The charge being clearly proved, the Jury found them---*Guilty---Death.*

William Eversfield, was born of poor, but honest parents, in the parish of St. Sepulchre, in the city of London, and at an early age put into the charity school belonging to the parish.

Being a sharp and active lad, he took what learning the school afforded very fast, and upon quitting it, very few in the school could surpass him in reading and writing.

He then lived some time in Chick-lane, as pot boy to a public house, and quitting that situation, was bound as an apprentice to Mr. C----le, a knife case maker, residing near Smithfield.

In this situation, his behaviour was so very indifferent, that his master frequently declared, he verily believed his apprentice Eversfield would come to the gallows!

When out of his time, he paid but little attention to business, and giving himself up to idleness and bad company, supported a precarious livelihood, by committing those depredations upon the public, which, in the prime of life, had nigh brought him to an untimely and wretched end. He received however a conditional pardon, on account of his youth.

Robert Raine, concerned with him in committing the robbery, declared, that idleness and bad company were the cause of his ruin.---Whilst under sentence of death, they behaved in a manner suitable to their melancholy situation. Raine suffered with John Innes and Swinden, leaving behind him a wife and two small children!

How easily is unwary youth entangled by the snares of vice---let young people therefore learn

to be wise and prudent, and from the exemplary misfortunes of these unhappy characters, learn to prefer the sweet and wholesome bread of industry, to that which is both life and soul-destroying, of dishonesty!

*The remarkable Case of WILLIAM BUTTERWORTH
and FRANCIS JENNISON, for the Murder of Mr.
JOHN GROUNDWATER.*

AT the Hants affizes, in the beginning of August, 1794, WM. BUTTERWORTH and FRANCIS JENNISON, two convicts at Cumberland Fort, were tried before Mr. Justice Grosse and Mr. Baron Thomson, for the murder of Mr. John Groundwater. one of the persons deputed to look after them; the circumstances of this murder were of the most brutal and atrocious nature. These hardened wretches, on being reprimanded by Mr. Groundwater, who threatened to report them for ill behaviour, swore that they would rip his bowels out; and were heard by another of the convicts debating about the manner of perpetrating the murder. Accordingly, about six in the evening of the same day, they fell upon him with two iron shovels, with which they had been at work in spreading gravel, and with which they gave him three such wounds on the skull, that his brains fell out in the quantity of a double handful. They then struck down one of the shovels upon his neck, with intent to sever the head from the body, but, striking against the bone, it had not the intended effect. The rest of the convicts ran to the spot, and one of them caught hold of Butterworth, to prevent his mangling the

body any more; but after a struggle, he disengaged himself, ran back to the unfortunate sufferer, and, catching up the spade again, gave him several cuts, saying, "There, damn him, I have done him out and out." On being remonstrated with for his inhuman conduct, he replied, that he was transported for life, and he would rather be hanged than suffer that sentence.——It is a most extraordinary circumstance, established on the evidence of Mr. Hill, surgeon, who attended him, that Mr. Groundwater lived eighteen hours after he had received these grievous wounds, notwithstanding the brains had fallen out; and a prodigious effusion of blood had taken place. He never spoke after the second blow was given him, but the action of the pulse was strong, and respiration continued the whole of the eighteen hours above-mentioned. This fact seems to decide the long-contested point between physiologists, whether the seat of life is in the heart, or in the brain? and evidently shews it to be in the former.

Butterworth, though thus steeled in cruelty, was only nineteen years old; his wretched companion was twenty-five. The atrocious publicity of the deed, and consequent clear evidence of their guilt, would not admit of their setting up any defence. The Jury pronounced them guilty, they were sentenced to be executed in three days after in Lanston harbour; and their bodies to be afterwards hung in chains in Cumberland Fort.

They were taken from gaol about four o'clock on Monday morning, and reached Portsea about eleven. The spectators that crowded to see the execution were immense. Both the prisoners acknowledged that they alone were the persons who committed the murder, exculpating all the other
con-

convicts from a participation in this horrid offence. Their behaviour was very penitent, and they seemed to sensibly feel the enormity of their crime. The execution took place about twelve o'clock, and their bodies were afterwards hung in chains, pursuant to sentence, near the spot where the murder was committed.

From the confession of the prisoners it appeared, that though very young, they had committed a great many robberies, and had lived by depredations on the public almost from their childhood. The eldest of these offenders received sentence of death for a burglary at the last summer assizes at Derby, but was reprieved on condition of serving on board the hulks for life. Butterworth had also been capitally convicted for a similar offence at the assizes at Maidstone, and received a reprieve on the same condition; he had been on board the hulks not more than seven days, when he and the other prisoner resolved to destroy Mr. Groundwater.

These unfortunate men appear to have been so hardened in sin, that instead of their former sentence having made any impression on their minds, they possessed a greater propensity for evil, nor were they content till to felony they added the horrid crime of murder; happier had it been for themselves and the sacrificed Groundwater, had their first offence brought them to the gallows—indeed these repetitions of guilt are so frequent, that justice holds it a mistaken mercy to shew now a-days any lenity.

*The Trial, &c. of ANN SCALBERD, at York,
for the Murder of her Mother-in-Law.*

ON the 8th of August, 1794, came on the trial of ANN SCALBERD, for the murder of her mother-in-law.

It appeared that he had asked the deceased to partake of some milk, which she said was designed for her childrens dinners. With this request she complied, but perceived something gritty at the bottom of the pot, and thought there was something peculiar in the taste: She was taken ill about half an hour afterwards, conjectured she was poisoned, and charged the prisoner with having destroyed her. She languished near a week and then died. On her body being opened, arsenic was found in her stomach. It was proved that the prisoner had been previously at several shops attempting to buy mercury, &c.

During the examination of the first witness, Mr. Thomas Davison (one of the Jury) fell down in a fit; there being no probability of his attending to the remainder of the evidence, a new Jury was called, and the trial re-commenced.—They pronounced her guilty, without the smallest hesitation, and she was executed on the following Monday. She received her sentence without appearing at all affected, and suffered with the greatest composure.

Generally in trials for murder by poison, as circumstances can only be depended upon, the matter becomes so doubtful, that though there is great room for suspicion, the culprit is acquitted. This case, however, was different---Ann Scalberd's

berd's guilt was so strongly corroborated, that justice demanded a proper example to be made of the inhuman offender.

*The remarkable Life, Trial, &c. of NOAH PIERCE,
for Robbing the Letter-bag of the Mail Coach.*

PIERCE was a shoe-maker at High Wycomb, and having several times observed the manner in which the letter bag was delivered to the guard belonging to the mail-coach, he formed the desperate resolution of becoming master of it.

Observing the mail-coach coming in one night, he went immediately to the Post-office, and imitating as near as possible the voice of the guard, called out, "Bag, bag."---No sooner had he spoke the word, than the window up one pair of stairs was opened by a woman who was nursing the post-master's wife, and by this woman the bag was thrown out to Pierce, who immediately set off with it, and was hardly got out of sight, when the guard came and made the same demand. This caused a great alarm, but the bag was irrecoverably lost, and all enquiries proved in vain.

Leaving the parties in amazement for the loss of the bag, we return to Pierce, who arrived safe at home with his booty, which he opened the next day, and searching the letters found a number of notes and bills; these he carefully put up, and buried the letters and bag in his garden.---By some circumstances that arose, Pierce was strongly suspected of having a hand in the robbery, but the persons who suspected him kept it very private.

Pierce at last thinking the whole affair to be forgot,

forgot, set out for London, with an intent to purchase some leather. On the road he changed a twenty pound bank note, and on his arrival in London, going to a leather-sellers, he bargained for some leather, and offered in payment a draft on a London banker, which had several days to run. The dealer in leather asked him his name, which he immediately told: he then desired him to sit down and drink a draught of porter, while he just stepped out. He then went to the banker's who lived just by, and presenting the bill, asked if it was a good one, and desired to know if they would pay it when due: they assured him it was a good bill and would be paid. They then demanded of the leather dealer who, and what he was, and how he came by the bill---He then related the circumstance of Pierce coming to him, and dealing for some leather, and that he was then at his house---Oh that is the very man, replied one of them, that we want to see. A hackney coach being called, they went to the leather-seller's, where they found Pierce, and desiring him to come along with them, told him that he should receive the money for the bill. Pierce went with them, but suspecting as they went along that all was not right, he slipped his pocket book down into the coach; which being found and offered to him, he said it was not his,---On examining the pocket book, the remainder of the notes lost out of the bag were found. Pierce was then committed to prison, tried at Buckingham assizes, in August, 1794, and being found guilty, was ordered for execution.

A respite, however, was received from the Judge at Huntingdon, by the Sheriff of Buckinghamshire, not to execute the body of Noah Pierce.

Pierce. A circumstance having arisen upon the Judges deliberating upon the case, on which the opinion of the Twelve Judges was necessary, before the sentence pronounced could be put in execution, he received a conditional pardon.

In this character we see the pernicious consequences of low art and cunning, which generally involve us in fatal difficulties, ere we are aware of our danger.

*The remarkable Trial of HANNAH LIMBRICK,
for the Murder of her Daughter-in-law.* X

HANNAH LIMBRICK was charged with the murder of DEBORAH LIMBRICK, her daughter-in-law, at Norwood's Green, in the parish of Westbury.

This trial came on before Mr. Justice Heath, at the Gloucester assizes, August, 1794.

The first witness called in was Ann Case, who deposed that she lived at Norwood's Green, and knew the prisoner very well, that on the 14th of February, she beat the child very cruelly and called it names. Ann Case was then in her garden, between which and the prisoners there was a hedge---She heard several blows about nine in the morning---the child was a daughter of Thomas Limbrick, by a former wife.

The next witness, Elizabeth Woodhouse, said she lived about a stone's throw from the prisoner---she did not hear the blows given on the 14th of February, but on the morning the child was laid out, the prisoner and she had some words, Mrs. Case's little girl said the child was dead, and the prisoner answered, I have not hurt her, and said

it was some of her lies ; she told her that she had killed the child by inches, and had starved her.

Thomas Limbrick, who was only nine years of age, said he lived with his mother when Deborah was beat--that his mother throw'd her down all along with her hands---and then against a wall, and kicked her in the belly. That afterwards she picked her up, and beat her with the hacker on the side of her head ; wiped the blood off with a dish-clout, and took her up to bed after she was dead. When his father came home, she told him the child was bad, but did not tell him she was dead.---She washed the dishclout out to get the blood off.

The hacker was produced which the child was struck with, and Mr. Lauder, a surgeon at Newnham, being examined, deposed, that on the 16th of February he was desired to come and look at a child that was dead two days ; he found a large contusion behind the ear ; another under the jaw, two black and blue spots on the head,---the arms and one finger was black,---the abdomen was black. He examined the head, and found a cut under the lip---The upper jaw was broke. He believed it was done with a bill or hacker, that the blow was the occasion of the death of the child, and that it died soon after it received the wound in the jaw.

The prisoner being called upon to make her defence, made the following declaration.

“ The child asked me to give her some dough, I bid her come, and she fell down between the wood and fell on the hacker, but I did not see any blood. Her father took her up stairs---About an hour after she called for the pot. I told her when I put her to bed, that if she would lay still,
when

when I had dressed the others, I would come to her. I told the boy to call some person in. The child fell down stairs the day before."

The Jury without hesitation found her guilty.

Mr. Justice Heath then addressed the prisoner. —Hannah Limbrick, you have been convicted of a most horrid murder of a young child---It was committed in a most barbarous manner: and you made use of every means to conceal it---Yet the Providence of God has so far interposed as to make your guilt public—Your crime is so heinous that it cannot be pardoned in this world. In the interval of time from the passing sentence, to the hour of execution, I earnestly intreat you to make up your account—Shortly you are to appear before another and more awful tribunal---The sentence that I now pronounce against you, is, that on Friday next you be taken to the place of execution, and there be hanged by the neck till you are dead---Your body to be dissected, and the Lord have mercy on your soul.

This unfortunate wretch was executed according to her sentence on the day appointed---she behaved in a very penitent manner, and seemed conscious of her wickedness.

There is something shocking in treating poor innocence with cruelty and barbarism---that wretch who can withstand the smiles---or what is more, the tears of sweet simplicity, and shed its innocent blood, possesses a hardened savage heart, and is a disgrace to a civilized country.

*The remarkable Trial of HANNAH WEBLEY,
a Devil for the Murder of her bastard Child.*

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AT the same assizes, August, 1794, came on the trial of HANNAH WEBLEY, who was charged with the murder of her male bastard child at Hinton, in the parish of Berkeley.

Hannah Chair, a girl of sixteen years of age, deposed, that the prisoner was a single woman---that she was taken ill on the 1st and 2d of June---she slept with the prisoner, who was a servant with Mr. James Pick, and was awaked in the night by the noise and crying of a child---it was dark---she could only observe that the prisoner was leaning over the bed-side: she heard her curse the child---after that she heard two blows (after which the child did not cry) and the prisoner said "D---n thee thou *bast* done for now." She then took her petticoat off the bed, and went down stairs---the witness now went and told her master---the prisoner returned in a few minutes after she had called her master, and brought the child back again---it was between two and three in the morning---she was afraid to speak to her---the prisoner had provided no child-bed linen.

Mr. Pick, the master, corroborated what Hannah Chair said; he also deposed that the prisoner never acknowledged she was with child---he saw the child, which lived till noon the same day---he had it baptized.

John Cornelius Hends, a man-midwife, said that he was sent for to Mr. Picks, on the 2d of June, to look at a child which was alive and a male---a woman had it on her lap---he observed a
deprel-

HANNAH WEBLEY---for Murder. 219

depression or fracture of the skull. There was only one fracture, which appeared to have been done with great violence; there was a discharge of blood from the right ear. He said the fracture might possibly have been occasioned by the child's falling on the floor, but he never knew an instance of such a thing happening on delivery.

The prisoner, in her defence, made the following declaration.

"I was taken very ill, was used to have the chollic--my pains came on, I walked backward and forward, the child fell down with great violence---I said, "Lord have mercy upon me, I am afraid thou art done for." I went down, thinking to take the child to my intended husband at Newport."

The Jury, after a little consultation, brought in the prisoner guilty.

The following sentence was then passed by Mr. Justice Heath.

Hannah Webley, you have been convicted of a most cruel and unnatural murder---So far was you led on by the fear of a discovery of your shame, as first to curse, and then deprive an helpless infant of life; by this wicked act, you own life is forfeited to the injured laws of your country---You must now suffer a severe punishment for your crime, even the loss of life---And I hope the punishment, dreadful as it is, will be an instructive lesson to the female part of the creation, and convince them, that those who twerve from the paths of virtue, will be tempted to the commission of the worst of crimes---I also hope that your punishment will be a lesson to those young men who artfully endeavour to seduce young women from the paths of virtue, and that your sad

end will be a monitor to them, and especially to him, who, though at present unknown, except to yourself, inveigled you into the paths of infamy and disgrace.---It remains with me, to pass that terrible sentence of the law, which is, that on Saturday next, you be taken to the place of execution, and there to be hanged by the neck till you are dead, and that your body be delivered to be dissected, and may the Lord have mercy on your soul.

Applications were made to his lordship, for a respite for this unhappy female, but his lordship declared, that he was so much convinced of her guilt, that she must suffer.

The admirable remarks made by Mr. Justice Heath on this most unnatural murder, render any comments of ours totally unnecessary; she was executed.

The remarkable Trial of ROBERT WATT and DAVID DOWNIE, for High Treason at Edinburgh, with a particular Account of the Execution, &c of the former.

ON the morning of the 2d of September, 1794, eight o'clock, the following Judges took their seats on the Bench:

Lord President in the Chair.

Lord Chief Baron,	Baron Norton,
Lord Swinton,	Lord Abercrombie,
Lord Justice Clerk,	Lord Eskgrove,
Lord Dunsinnan,	

Mr.

Mr. Knapp, Clerk of Arraighs, proceeded to call the Jury, several of whom, in consequence of the peremptory challenge which the English law affords, the prisoner objected to: at last a Jury of twelve citizens were sworn in and impaneled.

Mr. Knapp recapitulated to the Jury the heads of the indictment, particularizing the different overt acts of treason of which the prisoner Watt was accused.

Mr. William Dundas, in a short speech, opened the cause for the crown; which, he observed, the recapitulation of the indictment enabled him to do almost in a single sentence.

Mr. Anstruther followed, and in a strain of calm dispassionate eloquence, proceeded to lay before the court and the Jury the case which was to be proved.

Such, he said, was the peculiar happiness of this country, that we had been unacquainted with the law of treason for nearly half a century. It was not his intention, if he possessed the powers, of inflaming their passions against the prisoner; his object was to give a plain, a dry narrative of the facts, and a succinct statement of the law. The laws of treason were now the same in England and Scotland, and the duty of the subjects of both kingdoms should be the same. Scotland, in this instance, had reaped much benefit by the Union, as her laws of treason, previous to that period, were much more severe. The act of Edw. III. stated three distinct species of treason: ---1. Compassing and imagining the death of the king.---2. Levying war against him.---3. Assisting his enemies. He would not trouble the Court or Jury with the two last: the single species of treason,

son, charged in the present case, was the compassing and imagining the death of the king: which was defined by the conceiving such a design: not the actual act, but the attempt to effect it. But the law which thus anxiously guarded the sovereign, was equally favourable to the subject: for it does not affect him until that imagination is fully proved before "men of his condition." An overt act of treason is the means used for effectuating the purpose of the mind: it is not necessary to prove a direct attempt to assassinate the king: for the crime is the intention, and the overt act the means used to effectuate it.—He wished not that these sentiments might be held as the opinion of counsel; they were founded on the construction of the ablest writers, Chief Justices Foster, Hale, &c.; and, whatever could be proved against the prisoner, which may endanger the king's person, was an overt act of high treason, in the language of the ablest writers.

After explaining more fully the distinct species of treason which applied to the present case, Mr. Anstruther said, he trusted that if he could prove any design whereby the king's person is in danger, that was an overt act; if he was wrong, the Judges would correct him.

He would now state the facts on which these principles of law were to be laid. The present conspiracy was not that of a few inconsiderable individuals; it had risen indeed from small beginnings; from meetings for pretended reforms. It had been fostered by seditious correspondence, the distribution of libellous writings, and had, at last, risen to a height which, but for the vigilance of administration, might have deluged the country, from one end to the other, with blood.

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The proceedings of these societies, calling, or rather miscalling themselves Friends of the People, were well known; their first intention was apparently to obtain reform; but this not answering their purpose, they proceeded to greater lengths. He meant to detail the general plans and designs formed amongst the seditious, and then to state how far the prisoner was implicated in them.

The first dawning of this daring plan was in a letter from Hardy, Secretary to the London Corresponding Society, to Skirving, the Secretary to the Friends of the People here. He writes, that as their petitions had been unsuccessful, they must use separate and more effectual measures. Skirving answered, and admitted the necessity of more effectual measures; that he foresaw the downfall of this government, &c. Here also was the first notice of a Convention, a measure which it is no wonder they were fond of, when they saw its effects in a neighbouring kingdom. They meant not to petition parliament, but to proceed in their own plan, and supersede the existing government of the country; and, in that case, the king's life was put in danger. Soon after, a Convention, a body unknown to the laws of this country, met; and in this there would have been little harm, had their views been peaceable; but their objects were avowedly unconstitutional, and their intention to carry on their plans by force, and thus virtually to lay aside the prerogative of the king. This Convention accordingly met; using all the terms, regulations, &c. adopted by the Convention of another country; in which, it might be said, there was in reality little harm, but it was surely a marking proof of their designs. They meant not

to apply to parliament; for whenever that was mentioned, they proceeded to the order of the day. They resolved to oppose every act of parliament, which they deemed contrary to the spirit of the constitution, and were determined to sit, until compelled to rise by a force superior to their own. This Convention, indeed, was dispersed by the spirited conduct of a magistrate (Provost Elder) whose merit every one was forward to acknowledge, and to whose active exertions the country was so much indebted—but another Convention was attempted to be called, who were to frame their own laws, and be independent of the legislature; or, as they say, independent of their plunderers, enemies, and oppressors, meaning the King, Lords, and Commons; their resolutions will prove, that they meant to create a government of their own, to do away the authority of what they called hereditary senators, and packed majorities; all which prove the intention of putting the king's life in danger.

But what, it may be said, is all this to the prisoner at the bar? who, surprising as it may appear, about two years ago, wrote letters to Mr. Secretary Dundas, offering to give information as to certain designs of the Friends of the People. These letters were answered by that Right Honourable Gentleman with that propriety which has ever marked his public conduct. The prisoner then corresponded with the Lord Advocate, the particulars of which would appear, as his lordship was subpoenaed.

Since September 1793, this correspondence has ceased. Previous to that period, the prisoner was not a member of the Society of Friends of the People, nor of the British Convention, but his
 accep-

accession since to its measures, and the calling of another Convention, could be substantiated. The Convention, indeed, though dispersed, did not cease to exist. In fact, a Committee of Correspondence, of which the prisoner was a member, was instituted, the object of which was, to carry into effect the views of the last British Convention, and to elect delegates to a new one. Mr. Watt attended this Committee; and coincided in its measures, which were expressly to supersede the legislature. The prisoner had moved for a Committee of Union, and another was appointed called the Committee of Ways and Means, of both which he was a member. This last was a secret committee, kept no minutes, was permanent, and empowered to collect money to support "the great cause." Mr. Downie was appointed treasurer, and it was to be the medium through which all instructions and directions were to be given to all friends of the people throughout the kingdom, and was to procure information of the number of those that would spare no exertions to support the great cause. They corresponded with Hardy, respecting the calling of a new Convention, which was to follow up the purposes of the old one; and, as the prisoner was present, he was in this way coupled with the British Convention. Their next attempt was to debauch the minds of the soldiers, and to excite them to mutiny; for which purpose a paper was printed and circulated among a regiment of fencibles then at Dalkeith. This paper, which was evidently seditious, would be brought home to the prisoner, for the types from which it was printed, were found in his house, and a copy traced from him into the hands of a soldier.

The next charge to be brought against the prisoner, and the committee of which he was a member, was a distinct and deliberate plan to overturn the existing government of the country. The plan produced was this:—A fire was to be raised near the Excise Office (Edinburgh), which would require the attendance of the soldiers in the castle, who were to be met there by a body of the Friends of the People, another party of whom were to issue from the West Bow, to confine the soldiers between two fires, and cut off their retreat; the castle was next to be attempted; the Judges (particularly the Lord Justice Clerk) were to be seized; and all the public banks were to be secured. A proclamation was then to be issued, ordering all the farmers to bring in their grain to market as usual, and enjoining all country gentlemen to keep within their houses, or three miles from them, under penalty of death. Then an address was to be sent to his Majesty, commanding him to put an end to the war, change his ministers, or take the consequences. Such was the plan of the Committee of Ways and Means, as proposed by the prisoner. Previous to this, it should have been mentioned, that all the Friends of the People were to be armed; for which purpose, one Fairley was dispatched round the country to levy contributions, and disperse seditious pamphlets; for which purpose, he got particular instructions from the prisoner. Reports were spread, through the same channel, that the Goldsmith's Hall Association were arming; and that it was necessary for the Friends of the People to arm also, for they would be butchered either by them or the French. It would be proved, that the prisoner gave orders to Robert Orrock, to make 4,000 pikes; and also

also orders to one Brown for the same purpose. These were to be used for completing the great plan; and Fairley's mission was to inform the country of this great plan. Another representative body was also formed, called "Collectors of Sense and Money," who were to have the distribution of the pikes, and to command the different parties. In one instance, a person had been desired to carry some pikes to the collectors; who made answer, that he could not do it, for the collectors were not to be trusted yet. Mr. Anstruther then recapitulated shortly the different heads; and concluded an elaborate and most clear and distinct pleading, of more than two hours and a half, by requesting the Jury to lay no farther stress on what he had said than it should be proved, as it was meant merely as a clue to the evidence which should be brought before them.

Mr. Anstruther then proceeded to adduce evidence for the crown.

The first called was Edward Lauzon, King's messenger. Upon being asked, if he was employed last summer to search the house of one Hardy in London—Mr. Hamilton, for the prisoner, objected to the question, and insisted that, before proving any other matter whatever, some direct overt act committed by the prisoner must be proved.

Mr. Anstruther answered, that before proving the prisoner guilty of being concerned in a particular plot or conspiracy, it was surely necessary first to prove that such plot or conspiracy existed. In the trials, in the year 1745, before any particular overt act was attempted to be proved against any of the accused, there was always evidence adduced to prove the existence of a rebellion.

The court over-ruled the objection. The witness then swore, that he seized several papers in Hardy's house, particularly a letter, signed by one Skirving, and several others; also a printed circular letter, signed, "T. Hardy, Secretary." These letters the witness produced.

Mr. William Scott, Procurator Fiscal for the shire of Edinburgh, gave an account of the seizure of Skirving's papers in December 1793, and of the after disposal of them. He produced several of these papers, particularly one entitled, "Minutes of Debate in the General Committee;" also several papers that were found in the lodgings of Margarot, Gerald, and Sinclair. Mr. Scott swore to his being present at the dispersion of the Convention.

The letter by Skirving and Hardy, being authenticated by Mr. Lauzun, who swore he found it in Hardy's possession, was then read by Mr. Knapp.

John Taylor, of Fleet-street, London, was then called. He swore he was a member of the London Corresponding Society, and was acquainted with Mr. Hardy, who was secretary to that Society. Being shewn several letters and papers, he believed them to be Hardy's hand-writing. The Society consisted of several divisions, about fourteen, he thought, in number; there were several committees, particularly a general one, which consisted of a member from each division—a Committee of Secresy—and a Committee of Emergency. The latter was formed in May last. He attended a general meeting of the Society at the Globe Tavern, on the 20th of January last—about 1,000 were present. So great was the crowd, that the floor gave way, and the meeting adjourned.

adjourned to the Assembly Room, where the Secretaries read the resolutions, which were afterwards printed, from the Orchestra. An address, founded on these resolutions, was, afterwards carried by the shew of hands. One of the resolutions was, that the motions of Parliament were to be watched over, and if troops were brought into the country, or the Habeas Corpus Act suspended, &c. that force ought to be repelled by force.

This witness produced a copy of these resolutions, which he got from a person of the name of Moir, in the presence of Hardy. He saw several other copies about the room. The witness was also present at another meeting, held at Chalk Farm (about two miles from London) on the 14th of April last. The meeting was of the same nature as the former; there was about 3000 persons present, and among others Mr. Hardy.

Henry Goodman, clerk to Mr. Wickham, London, was present at the meeting at Chalk Farm, and heard the resolutions read. The resolutions now shewn to him were, as far as he recollected, the resolutions passed at the meeting. He understood that it was the intention of the Society to arm themselves, to protect the members, in the same way that the National Convention of France had been protected by the citizens of Paris; that he heard this talked of in different meetings.

Alexander Atchison was a member of and Assistant Secretary to the British Convention, and wrote part of their minutes: he deposed, that the papers now shewn in Court to him, he had often seen before; that he took down the minutes as accurately as he could; that he recollected Mr. Callander making several motions in the Convention,
and

and particularly an amendment to a motion which was referred to a Committee. This amendment was read. It related to the agreement in the Convention to continue permanent, and watch over the motions of Parliament, &c. &c. that he knew Mr. Watt, the prisoner, and was, together with him, a member of the Committee of Union. That Committee met in January last, the Convention being previously dispersed in December. The purpose of this Committee was to keep up a spirit of union among the friends of reform, and that he was sent there by the division of Cannongate. The great object of the Committee was to obtain the same kind of reform sought for by Mr. Pitt and the Duke of Richmond, about twelve years ago. That he was a member also of the Committee of Ways and Means, which was instituted for the purpose of paying past debts, and to defray the expence of future delegates to another Convention to be held somewhere in England, which second Convention was meant for the same purpose as the British Convention, namely, obtaining the reform first proposed by Pitt and Richmond; that he has often had conversations with different persons on the subject of reform; that he recollected having seen a pike in the house of George Ross, in the presence of several blacksmiths, which was shaped like the head of an halbert. Being asked, whether he ever gave a different account of what he had now sworn at any other place, he believed he never did; if he did, it must be contrary to truth, and this he should say, though he should be guillotined for it.

Mr. Erskine here stopped the witness, who was removed. He said, that it was an established point in the law of Scotland, that a witness could

not

not be affected by any thing he had before said relative to the present subject of his examination, nor could it hurt him in any degree.

Mr. Anstruther said, that this did not exist in the law of England.

The Lord President observed, that it appeared to him there was really a discrepancy in the law, in this respect.

Mr. Anstruther here said, that, to put an end to the dispute, and as Atchison had conducted himself in such a manner, he would, so far from laying any stress on his evidence, request the Jury to throw out of their minds every syllable he had used.

George Ross authenticated the minutes of Convention, and other papers; knew the prisoner at the bar, and had seen him at his own house.

Mr. Sheriff Clerk deposed as to the pikes being brought from Watt's, and the fount of types, of which he had got an impression taken in the precise state they came from Watt's house.

[*Paper read--An Address to the Fencibles.*]

James Sommerville, a printer, deposed as to the casting off the impression from the types.

William Watson, at Dalkeith, once saw Watt at his own house, but could not say whether the prisoner at the bar was the man. Remembered a Fencible regiment in Dalkeith, which was about the time he met with Mr. Downie, who carried him to Watt's, to get a hand bill about the Fencibles, which he had heard of, and was curious to see; but could not get it there: and went to one Kennedy on the South Bridge, from whence he received several copies.

The Lord Advocate said, that, except those (Downie and Stock) against whom bills were already

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ready found, he meant to bring no other person to trial for treason.

Arthur M'Ewan, weaver at Water of Leith, a member of the British Convention, and also of the Committee of Ways and Means, of which last Watt was a member, deposed, that, at one of their meetings, Watt read a paper, proposing to seize the Judges, banks, &c. to decoy the soldiers by a fire, &c. but did not know what was to be done with the persons seized, nor whether it was to be done in the day or night. Commissioners were to be appointed to take charge of the cash, but knew not what was to follow this. Deposed as to the proclamation to corn dealers and country gentlemen, and the address to the King to put an end to the war, &c. Watt asked him to accompany him to Orrock's, to whom he (Watt) gave orders to make pikes as fast as he could, as he had 4000 to send to Perth. besides what he had to distribute in Edinburgh. Orrock made a draught of one: a gentleman's servant asking what was their use, was told they were for mounting a gate. Knew that Fairley was sent into the country, and had visited a number of places; that he reported Paisley to be in a state of great readiness, but did not know what that meant. The witness disapproved of these proceedings, and would consent to nothing that would disturb the peace or shed the blood of his countrymen, and he thought the plan proposed would have that tendency. Watt produced, at one of the meetings, a paper containing what was called fundamental principles, which he knew but little of.

William Bonthorn was a member of the Society of the Friends of the People, but had resolved to withdraw, as things had passed he disapproved

approved of. Watt, at one of their meetings, read a paper, of which he did not remember the particulars, as it confused him. The paper contained something about seizing the castle, raising an alarm by fire, &c. upon the supposition that numbers could be got to assist them. Remembered nothing of particular persons being intended to be seized, but thought the banks were mentioned; this paper frightened him much; it mentioned also the seizing the guard-house; recollected no numbers that were mentioned to carry this plan into effect. M'Ewan shewed an opposition to it. The circular letter of the Committee was written by Mr. Stock.

Mr. Sheriff Clerk deposed as to the finding sundry papers in Watt's house, one the drawing of a pike, and the paper sworn to by Atchison, in the sub-committee.

John Fairley, wright, at Broughton, a delegate to the Convention, deposed that his constituents met after the dissolution of that body. Heard that pikes were making, and Watt informed him of this, or rather shewed him one. Watt said, that they were only intended for self-defence, and that none were to get them but those who applied and paid for them. Measures of government might drive them to despair, and cause bloodshed, but Watt said, he hoped there would be none, as the obnoxious or active against the cause of the people would be imprisoned. The soldiers would be glad of freedom, and deputations might be sent them. Watt proposed to shew the arms to the collectors, which the witness objected to as hazardous. In going to the west country, a parcel was left for him by Watt, containing paper for

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distribution; which he left at Stirling, Str. Nion's, Kirkintulloch, Glasgow, Paisley, &c.

On his return to Edinburgh, he went to the Committee of Ways and Means; that Watt, Downie, and M'Ewan were there, to whom he reported the result of his journey. Returned the instructions to Watt; they mentioned, he recollected, something about a plan, and Britain being free.—Downie paid him the expences of his journey.

Dr. Forrest, at Stirling, gave an account of Fairley's calling on him, shewing him his written instructions, &c. In these instructions there was a blank, which he supposed was to be filled up "arms." Shewed him the figure of a weapon like a halbert, which was preparing for defence, and that these weapons could be furnished by a person who he understood was about Edinburgh. Something passed about arming the people and disarming the foldiers.

Robert Orrock, smith, first heard arms mentioned in G. Ross's house, in March last. In April, Watt applied to him to make a pike, and he brought one to Ross's, where Watt and other members of the Committee were, and he left it at Watt's desire.—In May, Watt desired him to make more of that pattern, and some of a different kind. While making them, a person (Martin Todd) called and shewed a form of a pike, which he refused to make. Brown also called, and told him he was making pikes for Watt, and that 1000 were wanted; but spoke of this as a secret, which alarmed the witness. The extent of his order was five dozen, which were ordered by Watt, but paid for by Downie. He was told, if enquired

quired about, to say they were for the top of a gate: never had an order for pikes before; but had made one for his own defence, without being employed by any person.

Martin Todd, smith, deposed as to calling on Orrock, to enquire about the pikes.

William Brown, smith, said one Robertson called on him to bespeak several spears of a particular shape, for Watt; and, at another time, he made fourteen spears for Mr. Watt, like mole spears. Recollected the conversation with Orrock, but did not say that such a number of pikes would be wanted.

John Fairley was re-examined, at his own desire. He recollected Watt saying that the banks and public offices were to be seized. The most active against them were to be imprisoned, and couriers sent to the country to announce this. The Magistrates of Edinburgh were particularly spoken of.

Walter Miller, Perth, sent money to Downie, for relief of distressed patriots in the cause of reform; never had authority for supposing that the new Convention had any object but reform by legal means.

Here the evidence of the Crown was closed.

WATT'S DEFENCE.

Mr. W. Erskine, junior counsel for the prisoner, said, that as the Court had sat so long, he would not trouble them with many words. He would rest his defence upon the correspondence carried on between the Right Hon. Henry Dundas, the Lord Advocate, and the prisoner, by which it would appear, that he had attended the meetings of the Friends of the People, with no

other view than a design to give information of their proceedings. A letter from the prisoner to Mr. Secretary Dundas was read, which stated in substance, that, as he did not approve of the dangerous principles which then prevailed in Scotland, and was a friend to the constitution of his country, he thought it his duty to communicate to him, as a good subject, what information he could procure of the proceedings of those who styled themselves Friends of the People. From an acquaintance with several of the leading men among them, he flattered himself he had this in his power; and then went on to mention some of the names of those leading men in Perth, Dundee, and Edinburgh. In the first of these places, he said, he had been educated, and had resided in the two last for a considerable number of years. It concluded with enjoining secrecy.

To this letter an answer was returned, which was also read. It acknowledged the receipt of Mr. Watt's, and after expressing a hope that things were not so bad as he had represented, desired him to go on, and he might depend upon his communications being kept perfectly secret. Another letter from Mr. Dundas to Mr. M'Ritche, the prisoner's agent, was next read, in answer to one from Mr. M'Ritche, requesting of Mr. Dundas what letters he had of the prisoner's. The answer bore, that all the letters he had received from Mr. Watt had been delivered to the Lord Advocate.

Mr. Sheriff Clerk authenticated the letter of Mr. Dundas.

The Lord Advocate being sworn, in exculpation, he gave a distinct account of the transactions which he had had with the prisoner. He had

con-

conversed with him several times at his own lodgings; and he had at one time given him some information which he thought of importance. This was, respecting the disaffection of some dragoons at Perth, which, upon enquiry, turned out to be ill-founded. In March, 1793, his Lordship said, an offer had been made to him to disclose some important secrets, provided he would give the prisoner 1000*l.* This he absolutely refused.—However, some time after, the prisoner having informed him that he was much pressed for money to retrieve a bill of 30*l.* his Lordship, who was then in London, not wishing he should be distressed for such a small sum, sent him an order for the payment of it. All this happened previous to the meeting of the Convention; since which time, at least since October last, he did not recollect seeing or having any connection with the prisoner.

Mr. Hamilton contended, that the prosecutor had failed in bringing the most criminal part of it home to the prisoner. He dwelt long on the correspondence between Mr. Dundas and Mr. Watt. He said, the prisoner had not deserted the service in which he had engaged; but had not had an opportunity of exercising it until the very time he was apprehended.

He contended, that he was a spy for government: and it was well known that a spy was obliged to assume not only the appearance of those whose secrets he meant to reveal, but even to take part in their proceedings, in order to prevent a discovery. He alluded to spies in armies, and mentioned a melancholy circumstance which happened to one last war, a gentleman with whom he had the honour of being acquainted. A spy in an army, he said, was obliged not only to assume the uniform

uniform of the enemy, but even to appear in arms; and it would be exceedingly hard indeed, if taken in a conflict, that he should be punished for discharging his duty. He concluded with hoping the Jury would bring in a verdict, finding the charges not proven.

The Lord President, after clearly defining the laws of treason, summed up the evidence, narrating and explaining the various parts with much candour: leaving it entirely to the Jury to return such a verdict as their judgment should direct.

The Jury withdrew about half past five o'clock in the morning, and, in about five minutes, returned with a verdict—*Guilty*.

The trial lasted nearly twenty-two hours.

The Jury were upwards of forty minutes considering the case of Downie—the majority agreeing among themselves that he was guilty, they reconciled themselves to this verdict at last, by unanimously consenting to recommend him to mercy—which they did in a very strong manner.

Shortly after the following awful sentence of the court was passed upon these unfortunate men.

“ Robert Watt and David Downie, you have been found guilty of High Treason by your Peers. The sentence of the Court is, therefore, that you be taken to the place from whence you came, from thence you shall be drawn on a sledge to the place of execution, on Wednesday, the 15th of October, there to hang by your necks till you are both dead;—your bowels to be taken out, and cast in your faces; and each of your bodies to be cut in four quarters, to be at the disposal of his Majesty:—and the Lord have mercy on your souls!”

The unfortunate prisoners received the dreadful

ful sentence with much firmness and composure, and were immediately conducted to the castle.

Robert Watt was ordered for execution, but a respite came for David Downie; as soon as it was intimated to Downie, he started as from a dream, and exclaimed---“ *Glory to God, and thanks to the King for his goodness: I will pray for him as long as I live.*” After which tears of gratitude flowed. He was transported for life.

About half past one o'clock on the 15th of October, the two Junior Magistrates, with white rods in their hands, white gloves, &c. the Rev. Principal Baird, and a number of Constables, attended by the Town Officers, and the City Guard lining the streets, walked in procession from the Council Chamber to the east end of Castle-Hill, when a message was sent to the Sheriffs in the Castle, that they were there waiting to receive the prisoner. The prisoner was immediately placed in a hurdle, with his back to the horse, and the executioner, with a large axe in his hand, took his seat opposite to him, at the further end of the hurdle.

The procession then set out from the Castle, the Sheriffs walking in front, with white rods in their hands, white gloves, &c. a number of County Constables surrounding the hurdle, and the military keeping off the crowd. In this manner, they proceeded until they joined the Magistrates, when the military returned to the Castle, and then the procession was conducted in the following order:

The City Constables;
Town Officers, bare-headed;
Bailie Lothian and Bailie Dalrymple;
Rev. Principal Baird;

Mr. •

Mr. Sheriff Clerk and Mr. Sheriff Davidson ;
A number of County Constables ;

THE HURDLE,

Painted black, and drawn by a white horse :
A number of County Constables.

The city guard lined the streets, to keep off the crowd.

When they had reached the Tolbooth door, the prisoner was taken from the hurdle, and conducted into the prison, where a considerable time was spent in devotional exercise. The prisoner then came out upon the platform, attended by the Magistrates, Sheriffs, Principal Baird, &c. Some time was then spent in prayer and singing psalms; after which, the prisoner mounted the drop-board, and was launched into eternity.

When the body was taken down, it was stretched upon a table, and the executioner, with two blows of the axe, severed off the head, which was received into a basket, and then held up to the multitude, while the executioner called aloud, " There is the head of a traitor, and so perish all traitors." The body and head were then placed in a coffin, and removed.

Never was any execution conducted with more solemnity and order. The procession advanced with slow step, and the prisoner exhibited a most melancholy spectacle. He held a bible in his hand ; his eyes remained in a fixed posture, upwards; and he was not observed to make one movement, or cast a single glance upon the multitude. He was much emaciated, and his countenance so pale, that, while on his way to the place of execution, he appeared almost lifeless ; but, when he came upon the platform, he seemed

to be somewhat revived, and behaved himself during the awful solemnity, with due resignation and humble fortitude.

The impression the situation had made upon himself, seemed truly astonishing, as those who had ever seen him before, declared they could not have known him to be the same person. His appearance was dirty, muffled up in a great coat; and he shewed signs of peculiar agitation and remorse for the crime for which he was going to suffer.

The surrounding multitude, during the execution of the awful proceeding, did not discover any other emotion than is usual upon occasions of any other executions. The Town Guard, attended by the constables, lined the streets.

He is said to have declared, that it was a fortunate circumstance he was stopped in his career, as his plans might have cost the lives of thousands.

Robert Watt was born in the Shire of Kincardine, and was, at the time of his execution, about thirty-six years old. He was the natural son of a Mr. Barclay, a gentleman of fortune and respectability; but, like other children of illegitimate parentage, he was brought up and educated under the name of his mother. He was, at about ten years of age, sent to Perth, where he received a very good education. Being sixteen, he engaged himself with a lawyer at Perth; but being of a religious disposition, he was disgusted at this profession, and soon withdrew from the desk of his master. Soon after he went to Edinburgh, and engaged as a clerk in a paper warehouse, where he lived happily and respectably for some years. His only complaint was a deficiency of salary.

Having a desire to share in the profits, as well as the toils, of the business, he wrote to his father, and prevailed upon him to assist him with some money, to enable him to procure a partnership with his master. He then made proposals to the above purpose; these were, however, rejected by his employer. Being provided with money, he entered into the wine and spirit trade. His success in business continued very promising, until he was almost ruined by the commencement of the war. At this period, his acquaintance with the Friends of the People commenced.

The prisoner, in his own defence, acknowledged himself a spy; and any man who can descend to *that* character, is certainly capable of every other meanness which interest may prompt—there are few *meannesses* which will not, in the progress of time, lead to *crimes*, and thus we see how almost every *informer* is as bad as those very persons he *informs* against.

Robert Watt left behind him a full confession, written and subscribed by himself the evening before his execution, in which he solemnly declared, as a dying man, that the plan for an insurrection, rebellion, and revolution, was seriously intended by him and his accomplices, and in great forwardness when he was apprehended.

May this great national example strike deep into the minds of those who inculcate the principles that induced this infatuated man to commit the crimes for which he suffered; and may Britons of every denomination, made sensible of their own happy state, by a comparison with that of other nations, unanimously join in supporting a constitution, under which alone they can expect a continuance of the enjoyment of genuine freedom and security!

The

The remarkable Trial of JOHN KERR and JOHN RUGGLES, for a supposed Capital Offence, wherein the Prosecutor appeared Guilty of Perjury.

ON the 25th of September came on the following trial, which deserves the more particular attention, because, exclusive of the atrocious conduct of the prosecutor, it proved to be one of the incentives to the late riots in the metropolis: John Kerr, and John Ruggles, having been out upon bail, surrendered themselves in court, standing indicted for a capital offence, in stealing from the person of Edward Barrett, on the 18th of August, at the sign of the White Horse, in Whitcomb-street, a silver watch, a pair of silver buckles, and several articles of wearing apparel.

Mr. Knapp, counsel for the prosecution, called Edward Barrett, who deposed, that he had been discharged from his Majesty's naval hospital at Deal; that, after having been detained by illness on the road, he arrived in town, and was walking over London-bridge, between seven and eight in the evening; that he enquired of an old woman where he could get lodgings; that she took him to a house, but in what part of the town he could not tell, it was a public-house, and the people in it appeared to be naval officers; that he was shewn up stairs into a dark room, the windows of which were barred with iron, and in which he was confined two nights, not being suffered to come out after he was first brought into the house; that he was then put into a coach, and carried to the White Horse in Whitcomb-street; on his entering

the White Horse, he was dragged up stairs by six men into a garret, and knocked down, a rope put round his neck, and the articles stated in the indictment forcibly taken from him; that he was confined in the said house a fortnight, during which time he was frequently beat; that the prisoner Kerr once beat him, and cut his face; that during the whole fortnight he was allowed nothing but bread and small beer; that he is positive the prisoners were two of the six persons who assisted in dragging him up stairs, and robbing him as above; that at the close of his confinement, a man with a wooden arm, who called himself a captain of a West Indiaman, put a paper in his hand, and asked him whether he had rather lose his life or sign a paper, which he found to be an attestation of his having been attested as a soldier; that he was then conveyed to Banbury.

This was the whole of the evidence to support the prosecution, when

Mr. Fielding, counsel for the prisoners, called Mr. Shepperd, one of the clerks belonging to Queen-square, who proved the attestation, and verily believed the prosecutor to be the man so attested.

Mr. Sergeant Kirby, a magistrate at the above office, corroborated Mr. Shepperd's testimony.

Sergeant Watson and Edward Huckenbottom, whose evidence are the same, deposed, that on the 27th of June last, they enlisted the prisoner, Edward Barrett, at the Swan in East Smithfield; that he remained there three days, during which time he was not at all confined; that he (the witness) then took him to the house of Joseph Hambleton, the White-horse, in Whitcomb-street, and that

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that, at the time he carried him there, he had neither watch nor buckles.

Henry Joel, a Jew cloathsman, deposed, that he knew the prosecutor Barrett; and that after he was enlisted, he sent for him to the White-Horse, where he bought his (the prosecutor's) jacket, shoes, &c. he then being dressed in his regimentals.

John Copper and John Ritchie, two recruits, deposed, that when at Banbury, they were sworn against by the prosecutor, as being accessaries in the above robbery, for which they were imprisoned seven weeks, but were afterward admitted evidence for the prisoners; and that Barrett, the whole time he was at the White-Horse, was not at all confined, but was continually in a state of intoxication.

Mary Garland, servant to the prisoner Kerr, remembered Barrett being at their house, during which time he had his liberty, and was always drunk.

The Jury expressing themselves perfectly satisfied with the evidence adduced on behalf of the prisoners, Mr. Fielding and Mr. Knowles waved calling any more witnesses, though they informed the court they had fourteen more of great respectability, who could corroborate the testimony given.

Justice Ashhurst was about to sum up the evidence, when the Jury, to prevent his lordship that trouble, requested the foreman to acquaint him, they had long been satisfied, and agreed in their verdict of---*Not Guilty*.

The Judge immediately ordered the prosecutor to be taken into custody, and Messrs. Kerr and Ruggles bound over to prosecute him for perjury.

The

The remarkable and memorable Trial of THOMAS HARDY, for High Treason.

ON Tuesday, October 28th, 1794, at eight o'clock, the Court opened its Session. The Commissioners were Lord Chief Justice Eyre, Chief Baron M'Donald, Mr. Justice Buller, Mr. Baron Hotham, and Mr. Justice Grose.

Proclamation being made, THOMAS HARDY, the prisoner, was brought to the Bar.

The list of Jurors was called over, when a great number of them were disqualified as not being Freeholders of Middlesex, though taken from what is called the Freeholders Book; a few of them pleaded the privilege of age (being above 70) and were excused; and some pleaded infirmities, which were admitted. The number of Jurors, who answered to their names, was 134. Of the qualified persons present, the Counsel for the Crown made a peremptory challenge to five or six, and Mr. Erskine, as Counsel for the Prisoner, made his full challenge of thirty-five. At length the following Jury were sworn:

Thomas Buck, Acton, Foreman,
 Thomas Wood, coal-merchant,
 William Frazer, Queen-square,
 Adam Stainmetz, Biscuit-baker,
 John Connop, Distiller,
 John Mercer, Mealman,
 Thomas Sayer, Bow,
 Richard Carter, Paddington-street,
 Nathaniel Stonard, Starch-maker,
 Joseph Nicol, Farmer,

Joseph

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John Charrington, Brewer,
Joseph Ainsley, St. George's, Coal-merchant.

Chief Justice Eyre informed the Jurors, whose assistance was not wanted for the present, that they might retire, or continue in court, agreeably to their discretion. He said, as they had come forward with alacrity, that it was not the wish of the Court to require a daily attendance, and hoped that when they should be again called upon, though the notice might be short, they would still manifest the same attention which they did on this day.

Proclamation being made for silence, the Clerk of the Court addressed the prisoner in the usual form, and charged the Jury as to the manner in which they should enquire of the guilt or innocence of the prisoner, &c.

Mr. Wood opened the pleadings on the part of the Crown. The first Overt Act stated in the indictment was, That the prisoner, with others, having formed an intention of traitorously breaking the peace and common tranquillity of the kingdom, and to stir up, move, and excite insurrection and rebellion in the kingdom, and war against the King, and in order to carry into effect such intention, did meet and conspire, amongst themselves, and other false traitors to the King, to subvert the Government, and to depose the King.

The second Overt Act was, That these persons did write and compose divers books, pamphlets, letters, and addresses, in writing, recommending Delegates to a Convention.

The third Overt Act charged was, That they
did

did consult on the means to form a Convention, and on the place where it might be held, &c.

The fourth Overt Act charged was, That they did agree among themselves, and others, to meet, form, and assemble into a Society, for the purposes aforesaid.

The fifth charged, That they caused to be procured to be made, arms to subvert the Government of this Country, and to depose the King.

The sixth charged, That they conspired to raise and to levy war within the Realm.

The seventh, That they conspired to aid the King's enemies, &c.

The eighth, That they did draw and compose certain books, pamphlets, letters, exhortations, and addresses, and did maliciously publish them, for the wicked purposes aforesaid.

The ninth, That they did procure arms for the purpose of levying war against the King, and to excite rebellion, &c.

To which the Defendant had pleaded Not Guilty.

His Majesty's Attorney General, in a speech of nine hours, went into a very full and minute detail of the subject of these prosecutions for High Treason. The limits of our Volume will only permit us to state the leading features of it.

He began with observing, that in the course of stating what he had to mention to them, he must solicit their most serious attention to this great and weighty business, affecting, as it certainly did, the public at large, and also affecting, as they would remember, through every part of it, the prisoner at the bar. He should have frequent occasion to call upon their anxious attention to the different parts

parts of that indictment, which had just been opened to them.

He said, the prisoner at the bar was charged, to state the indictment generally, "with the offence of compassing his Majesty's death." He was committed on that charge by his Majesty's Privy Council. In consequence of the apprehending of this prisoner, some others, who were charged in the same indictment, as well as others, whose names were not found there, were taken into custody. Afterwards, an Act passed, empowering his Majesty to detain such persons as he suspected were conspiring his death. That Act had asserted, that a traitorous and detestable conspiracy had been formed, for subverting the existing Laws and Constitution, and for introducing that system of anarchy and confusion, which has so fatally prevailed in France. That Act, on the spur of the emergency, authorized his Majesty to detain, without bail, mainprize, or discharge, those persons that were committed on suspicion, until February 1, 1795. It was to be observed, however, that that measure did not suspend the Habeas Corpus Act, but with regard to particular persons, under particular circumstances. Such a measure had never been adopted by Parliament, but in cases which, after giving all possible attention that the rights of the subject should not be broke in upon, appeared to be of the last possible necessity. That measure had been repeatedly put in force in the best times, and in those cases where the wisdom of Parliament thought it wise that we should part with our liberty for a little, that we might not lose it for ever. He appeared that day before the Gentlemen of the Jury, in the discharge of a duty which seemed to him absolutely necessary.

The proceedings of the Legislature had been such as he had stated to them. His Majesty, in the exercise of his duty, as the great conservator of the public peace, directed an inquiry to be made, whether any such treason, on the presumption of the existence of such a conspiracy, had been committed by any person, and by whom. In the execution of the duties of that commission, a Grand Jury of this country, on their oaths, have declared, that there is ground of charge against the person at the bar, and against others, sufficient to call them to a trial before you, to answer for the charge of High Treason, in compassing his Majesty's death.

He said, he had stated these circumstances, that he might convey to the Jury, in as strong terms as he possibly could express it, that whatever influence the proceedings of Parliament might have, and he was persuaded would have, because they ought to have, in another quarter, yet he was perfectly persuaded that they had no influence whatever on the minds of the Grand Inquest; nor ought those proceedings to affect their (the Jury's) inquiry, or to influence them in the determination they were about to make. They would, therefore, consider the prisoner at the bar as standing before them in full possession of an absolute right to the presumption of innocence, notwithstanding he was charged with that indictment, except so far as that presumption was met by the single, simple fact, that he had been accused by a Grand Jury of his country. The Gentlemen of the Jury would permit him to say, that if any thing had fallen under their observation, tending to influence their judgment, by aspersing the advice given to
the

the Grand Jury in the matter of law, they would disregard it, as on the one hand he was perfectly sure that their integrity would be a security to the Public, and that they would not permit any attempt of that sort to operate on their minds in the smallest degree. On the other hand, it was needless to ask an English Jury, that they should not be influenced against a prisoner. In order that the Jury might understand the law of Treason, and the indictment, he begged leave to make some observations.

The power of the State, by which he meant the power of making laws, and enforcing the execution of them when made, resided in the King, acting in the one case, to wit, in his Legislative character, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons, in Parliament, assembled—*assembled according to the law and constitutional custom of England.* In the other case, by executing the laws, when made, in subservience to the law, and by acting in the manner in which the law hath called upon him to act for the good of his subjects. The King was under checks and regulations, and was bound to square his conduct according to the Law of the Land. No law could be made but by the King and the Parliament meeting in its political capacity. No legislative power could be created against the will, or in defiance of the authority of the King. The allegiance of his subjects binds them, in the language of the statutes of this country, to defend his Majesty against all traitorous conspiracies and attempts whatever, which shall be made against his person, his crown, or his dignity. To ascertain to whom his care and protection are due; to ascertain to whom this allegiance is due, the breach of which,

according to the venerable Lord Hale, constituted High Treason ; to ascertain and define accurately what constituted a breach of that allegiance, was essentially and absolutely necessary to the security and preservation of the ancient and undoubted rights of Englishmen. The one of these objects was secured by the Law and Constitution ; by that Law which secured to us every right. It had made the Crown hereditary, though subject to certain limitations by Law. The other object, the Law and Constitution had also ascertained. It had defined those duties which it was incumbent on his Majesty to practise, and in the practice of which duties, the Law had aided him with Councils ; and, in consideration of which duties, it had clothed him with dignity, and vested him with high prerogatives. The moment the title accrued to the King, the same instant our allegiance began ; the breach of which was High Treason. His majesty, at his coronation, took an oath to govern the people of this country according to the statutes in Parliament agreed upon ; to execute the Laws, in justice and mercy ; and to maintain the laws of God and Religion, as established by Law. That coronation oath, as stated by that great and constitutional Judge, Sir Michael Foster, imposed on his Majesty the most sacred obligations—to govern according to the Laws and Statutes in Parliament assembled, according to the laws and customs of the same, and in no other way. In addressing that Court, which was a Court of Law, and in which the Gentlemen of the Jury were sworn to make a true deliverance, according to the Law of England ; he could not express himself too strongly, when he declared it could not be supposed to be possible, that the King could, consistently

sistently with his oath, and with his antecedent duties recognized, either act, or permit himself to act, according to any other rule of Government, framed by any body of men, assuming any character, function, or situation, the statutes agreed on in Parliament, and the laws and customs thereof only excepted. It seemed to be a necessary conclusion, not only that those who conspired to remove him out of the Government altogether, but also that those who conspired that he should not govern by the Laws, made with and by the consent and advice of the two Houses of Parliament, wished and contended to depose him from his royal state, title, power, and government, and to subvert and alter the Legislature, Rule, and Government, happily established in this kingdom. His Majesty ought not so to govern. He could not so govern. He was bound not so to govern. He must resist the attempt, whatever might be the consequences, and that would either occasion his deposition, or endanger his life. The Law and Constitution, as already hinted, have assigned to him various councils; it hath put him under various constitutional checks, and hath provided him with various prerogatives, which were necessary for the support and maintenance of the civil liberties of the kingdom. It hath clothed him with imperial dignity and perfection. In his political capacity, he never ceases to exist. In foreign affairs, he is the representative of his people. He makes war and peace. He raises fleets and armies. He was the fountain of justice; and every where present, by his Judges, to administer it to his people. He was the great conservator of the public peace, and bound to maintain and vindicate it every where. Such were his duties, for the
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security, protection, and happiness of his people. He hoped it would not be thought he had been mispending their time, by making such observations. These important duties accounted for the just anxiety, bordering on jealousy, with which the Law watched over the person of the King. Lord Hale said, High Treason was an offence more immediately against the person and authority of the King. Mr. Justice Foster had, with great propriety, said, that the crime of High Treason ought to receive the rigour of the law in its fullest extent, in the case of the King; in the case of him, whose life was not to be endangered, because it could not be taken away without involving a nation in blood and confusion. To strike at him, was to strike at the public tranquillity. He wished to put the Jury in mind, that as on the one hand it was absolutely necessary that the person and authority of the King should be defended, and that individuals, who were clearly convicted of the crime of High Treason, should suffer the severity of the law. On the other hand, it was absolutely necessary, for the security of individuals, that the crime of High Treason should not be vague and indefinite, either on account of the Law itself, or from the constructions which may be made of that Law. It was not to be collected from reasoning or inference. It was proper to observe the great anxiety with which the statute of the 25th of Edward III. had guarded against Constructive Treasons, and expressly stated what our ancestors understood to be High Treason, when the provisions of that statute were first introduced into the Code of our Laws. He admitted, that, before that statute was made, upon which the present indictment was founded, it was often difficult to say, what
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what offences were or were not High Treason. That statute was, therefore, introduced for guarding the subject. Every State must have some Government: in other words, it must determine by whom the Sovereign Power in a country was to be executed. No Government could exist, unless that power was placed somewhere; and an attempt to subvert the power, is an attempt to subvert the established Government: and it was of necessity, that such an attempt should be proceeded against by severe punishment. The breach of a law, which did not involve the destruction of the state—the violation of one law, which left the laws in general, which were sufficient for the security and happiness of the people, deserved a milder punishment. Lord Hale said, the greatness of the offence of High Treason, and the enormity of the punishment, was for this reason; because, the peace, safety, and tranquillity of the kingdom, were highly concerned in the safety and preservation of the person, dignity, and authority of the King: and, therefore, the laws of the kingdom, had given all possible security to the King's person and government, under the severest penalties. To describe this great offence with precision and accuracy, was the intention of the Legislature in the time of Edw. III. In addressing a Jury, in a Court of Law, sworn to make a true delivery according to the law, there were two propositions which appeared to him equally clear. 1st. That they ought not to bring those facts under the 25th of Edw. III. which a fair, just, and authorized interpretation of that statute did not warrant. On the other hand, as they were bound by that law, if they were satisfied it had been violated;

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if the fact of violation was proved by evidence, convincing in its nature, and such in its form as the law in this case required, then they were bound by the laws of their country to defend the person and honour of the Sovereign, and to give that verdict which the statute intended should be given. Men of honour, and of conscience, acting under the sanction of the oath they had taken, must come to the same conclusions, judging of the same facts by the same laws, whatever their principles of government might be, unless they differed on the effect of the facts laid before them. In the trial of a person, whom I shall often have occasion to mention in the course of these proceedings (T. Paine), it was truly, justly, and strongly admitted, by Mr. Erskine, that, if the Jury had been composed of twelve Republicans, wishing to overthrow the Monarchy in their hearts, yet administering the law of England, and if they were convinced the crime had been committed, that the law had been violated, no man would have the audacity to say, that they ought not to have come to this conclusion---to have found the Defendant guilty. The statute upon which the present indictment was founded, stated, and stated truly, that divers opinions had been had before the passing the 25th of Edw. III. about what offences should be deemed High Treason, and what not.

Mr. Attorney General here entered into a very distinct and minute consideration of those cases that constituted High Treason by the 25th of Edw. III. He also considered the exposition of that statute by Sir Matthew Hale and Mr. Justice Foster. He observed the caution which those eminent Judges gave to others, not to let in by construc-
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tion any Treasons not contained in the Statute. Mr. Attorney General observed, that this gave infinite authenticity to their own exposition of it, inasmuch that it was to be supposed that they, who so anxiously recommended caution to others in the interpretation of the Statute, would observe it themselves. After the Statute had enumerated those offences that were to be held to be High Treason, it did not stop there, but had this clause: "Because other like cases of Treason may happen in time to come, which cannot be thought of, nor declared at present, it is accorded, that if any other case, supposed to be Treason, which is not above specified, doth happen before any Judge, the Judge shall tarry without going to judgment of the Treason, until the cause be shewed and declared before the King and his Parliament, whether it ought to be judged Treason or other felony." Sir Matthew Hale observed, how dangerous it was to make that High Treason which was not so by the Statute. He observed, that that Act was a great security to the subject, as well as a direction to Judges, to prevent them from running out, upon their own opinions, into constructive Treasons, in cases that might seem to them to have a like parity of reason, but reserving them to the decision of Parliament. It was a great security to the public, to the Judges, and even to this sacred Act itself; and left a weighty memento to Judges, to be careful, and not overhasty, in letting in Treasons by construction or interpretation, especially in new cases, that had not been resolved and settled.

Having stated thus much, Sir John Scott declared, that he did most distinctly disavow mak-

ing any charge of constructive Treason; that he did most distinctly disavow stating any like case of Treason, not specified in the Statute; that he did most distinctly disavow every thing not specified in the Statute; that he did distinctly disavow a life of crimes; and the simple question was, whether the prisoner was guilty of that High Treason which was specified in the Statute; and whether the evidence, which was to be brought before the Jury, amounted to that proof which was satisfactory to their minds and consciences, being prepared to admit no proof but what they ought to receive, that the prisoner may be attainted in consequence of an open deed. The indictment charged the prisoner with compassing and imagining the King's death, and by taking steps to effect that purpose. In order to be thoroughly understood, he begged leave to state, there was a settled distinction in the course of judicial practice, settled for no other reason but because there is a manifest distinction between like cases for Treason, or accumulative Treason, and various overt acts of the same Treason. He did not wish then to enter into any discussion of what he took to be the clear and established law of England. He deemed it to be clear, that a conspiracy to depose the King; to imprison him; to get his person into the power of the conspirators; to raise an insurrection; to procure an invasion of the kingdom, &c. are overt acts of Treason in compassing the King's death. So they had been adjudged by Hale and Foster. Overt acts were the measures taken in pursuance of treasonable purposes; which measures might be as various in their kinds, as the ways and means which the human heart could devise to itself for carrying its intentions into execution.

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He said, he was sorry to trouble them so much with general reasoning, but they would afterwards find it had its application. He did not understand what constructive overt acts meant, though he understood what was meant by constructive Treason. Parliaments had acquiesced in the cases stated by Hale and Foster, and execution had been done on them. That there was an intention to compass the King's death, must be proved by such an open fact as must fully satisfy the consciences of a Jury. Conspiring to imprison the King, is an act that might be done without actually intending to put him to death; but, says Foster, the care which the law has taken of the person of the King, is not confined to acts or to attempts, the law has extended it to every thing wilfully and deliberately done, whereby his life may be affected; and therefore entering into measures to imprison him, are overt acts of Treason; for experience has shewn, that between the prison and grave of Kings the distance is very small.

The Attorney General next proceeded to consider the indictment; and again repeated, in strong language, that he did not mean to extend the law of Treason one single iota beyond what he conceived the Statute intended. He considered the charge laid in the indictment, and commented on the different overt acts of Treason enumerated in it.

He said, he should not trouble them with some general observations, before he stated the evidence, in order to enable them to understand the mass of that evidence he should lay before them. The Convention to be assembled, was a convention of persons who were to take the character of the Convention of the People, usurping all civil

and political authority which must endanger the life of the King. If that was made out, they must be guilty of a conspiracy to depose the King. There could not be two Sovereign Powers in a State; and, if there was no Convention of the People, assuming to itself all civil and political authority, one or other must yield. The King and Parliament must be obedient to the Convention, or the Convention to them. If the Convention were obedient to the Parliament, it could not effect its purposes. That, therefore, was an overt act of compassing the King's death. It was a conspiracy to annihilate the existing power; and which, of necessity, led to depose the King. Whether it succeeded or not was immaterial.

There was, he said, another distinction. It was of no consequence whether the first meeting proposed to be assembled was the first Assembly to assume all civil authority, or only devised the means of forming a Constituent Assembly who was to assume it.

He thought the evidence he had to lay before them would abundantly satisfy them, that the meeting they conspired to form was a Convention to alter the whole frame of the Government of the Country; that it was to be a Republican Government, to vest in a body form of universal suffrage and the unalienable imprescriptible rights of man, all the executive and legislative rights of the country. That that was an act of High Treason could not be doubted, as it devolved in it the destruction of the Regal office. He went farther; if it had been intended to retain the name of King, and the person of the present King, creating a new Legislature to act with him, their thus calling on him to act contrary to the laws of the land, would
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be a conspiracy to depose him from Royal authority. If he refused to accept, he must be deposed; if he did accept, he was not the King of Britain, as established by law. He could not so govern; he must not so govern. He must resist, and therefore he must be deposed when such a new Constitution was formed. He would, to use the language of Judge Hale, be despoiled of his Kingly Government. He could not be King consistently with his Coronation Oath; and if he resisted, his life must be in danger. That Convention would itself be the Sovereign, and must depose every other sovereign power. That was the character, he believed, of the Convention that would be given in evidence before them.

With regard to the prisoner at the bar, he thought he could satisfy the gentlemen of the Jury that he conspired to assemble such a Convention, and that it was to be Sovereign, Irresistible, Unlimited, and Uncontroulable; and thus it was that a full and fair Representation of the People in Parliament was to be effected. When the Convention, in the year 1688, was in possession of a vacant throne, the moment they bestowed it on King William and Queen Mary, from that instant sovereign power became vested in the King, with the advice and consent of Parliament, incapable of being exercised otherwise but under the limitations and provisions of the Constitution. The moment they became King and Queen, sovereign power became vested in them.

He said, he should not then enter into the evidence, from which it would appear, that various Committees were appointed to devise the means of ultimately and finally deposing the King.

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The indictment had gone farther, and supposing that was not true, it charges the prisoner with a conspiracy; not through the medium of a Convention, but to levy war. A conspiracy to compel the King by force against his will, to give his assent to a law, was an act of Treason to alter the Government and frame of the Constitution. A conspiracy to overawe the King, to force him to give his consent to such a law, was unquestionably an overt act of Treason, to depose him and compass his death.

He said, he thought it necessary to state so much before he came to the circumstances of the case. It was his duty, he conceived, to state the law as applied to the facts that would be given in evidence; and he had stated the law faithfully as he believed it to be.

It might be asked, would any man in his senses believe that such Societies could possibly overturn the Constitution of this country, by alienating the affections of the subjects from their allegiance to their Sovereign? If there were any such persons present, he wished them only to recollect what a few thousand men, who formerly met in St. George's Fields, did. Let them recollect what the Jacobin Club in France did. He said, Britons were as much distinguished by the blessings they enjoyed, as by their situation. *Britannos toto orbe divisos.*

The Jury would observe, that what was charged was not the extent to which the project had proceeded. If the Jury were satisfied that it was intended, and that one single step was taken upon it, it was enough.

In the latter end of the year 1791, the principles

ples of the French Revolution were imported into this country. Those who wished to propagate those principles in this country, addressed themselves principally to the poor and debauched, the ignorant, and those whose education did not enable them to distinguish between truth and misrepresentation; and, after they had been successful in instilling those principles into such people, they admitted them into their Societies. The people in this country, in general, have an attachment to their Constitution; but those persons who wished to create discontent, described the oppression which the people of this country, as they alleged, laboured under, high taxes, &c. They then told them about the unalienable rights of man, and about a full and fair representation of the people in Parliament. The word Parliament was used under Cromwell, during the Commonwealth. They never mentioned the King or Lords but to abuse them.

The Attorney General here observed, that the two principal Societies, to the proceedings of which, during the last two or three years, he wished to direct the attention of the Jury, were the London Corresponding Society, and Society for Constitutional Information. These two societies corresponded together, and also affiliated with a great number of different Societies in the country. Some of these Societies professed one set of principles, and some another.—The prisoner at the bar was Secretary to the London Corresponding Society, and in that character wrote or signed a number of letters that were sent to other Societies. But the signature of Thomas Hardy, to some of these letters, was in the handwriting of John Horne Tooke.

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The Attorney General here went into a very full and very able detail of the correspondence of these two Societies, and of the many other Societies in different parts of the country, with whom they corresponded, remarking, that though until of late they concealed their real designs,—under the veil of Parliamentary Reform, yet he would endeavour to prove, that those Societies wished, in fact, to overturn the whole Constitution and Government of this country. This he shewed, among other things, from voting their thanks to Thomas Paine, for certain parts of his works, in which he described himself to be an enemy to hereditary monarchy, and in which he compared the subjects of Kings to cattle and sheep. It was therefore clear, that while they thanked him for these works, and wished to see the doctrines therein contained spread over the globe, it was wishing, in truth, for the destruction of the British Constitution, which they affected to be anxious to purify and reform.

He stated, he could not say for certain, that the Societies in England offered their assistance to the Societies in France, but thus much was certain, that those of France, in many cases, proffered their assistance to those in England. The object they pursued he understood to be the same. A letter from a departmental Society on the Rhone, fully explains what they conceived to be the object of their English friends:—"It expects soon to see their own example followed;" and adds, "doubtless the Court of St. James's will meet the same fate as the infamous Court of Versailles."—"We have hands, we have bayonets and pikes," say they, "to assist the friends of Liberty." These sentiments were received with applause, and
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heard with complacency, by those men who would deny any intention of using force for the attainment of their purposes. From the tenor and complexion of the whole proceeding, a man might be induced to believe it was the production of Paine or Barlow; men, whose principles must, by this time, be thoroughly understood. If this needed further confirmation, the Address presented by the Societies to the Convention of France would give it. The President there addresses Mr. Frost by the title of "a good-Republican;" and they, by their resolutions, have adopted and sanctioned every thing he had done. It is well known, and a matter proved, that at the time of Mr. Frost's return from Paris, he diffused the doctrine of *No King*. He had now paid the forfeiture inflicted by the laws for his seditious breach of them; and yet, so far from acknowledging the propriety of the decision, the Societies had, by their resolutions, declared that he had merited their esteem, by the persecution and prosecution he had undergone in the cause of Liberty. What was this persecution and prosecution which they complained of? It was that punishment duly inflicted by the law, for a crime which had been fully proved before the known and established tribunal of this kingdom.

As a further evidence of what were the opinions of those men who pretended to wish only a reform without violence, he read a letter from Mr. Frost, dated from Paris, some few days after the catastrophe which took place there on the 10th of August, wherein he expressly says, "The affair of the 10th was what saved the liberty of France: without it liberty had perished." Gentlemen would recollect, that was the day on which the unfortunate Monarch of that country was deposed,

and the Monarchy totally subverted. It was not themselves alone who had transmitted addresses to France, but by all possible means they endeavoured to excite others to imitate them. It was one grand object with them to procure others to join in addressing and making a common cause with France. His learned friend might object, and he knew he would make the objection, that at the time they were transmitted, we were not at war with them. That was true. Hostilities were not commenced; but in fact, by one of their decrees of a previous date, they had declared themselves at war with every government in Europe. There appeared a letter from Mr. Tooke to the Mayor of Paris, which requires that some person in London might be appointed to receive those subscriptions which they had collected for them in this country; and informs them, that their friends on this side the water were many, and hoped they would be adequate to the completion—of what? Of their common cause. Look into their address, we there find—“That Frenchmen are already free, and Britons are preparing to become so.” Again, “With unconcern, therefore, we behold the Elector of Hanover join his troops to traitors and robbers: but the King of Great Britain will do well to remember, that this country is not Hanover—Should he forget this distinction we will not.”

These circumstances, and the fact of a correspondence abroad, excited a considerable degree of alarm in the minds of many, though it could never be known, until lately, to what extent it had proceeded. The Corresponding Society themselves felt the necessity of some attempt to calm the public mind. They accordingly published, what they called a Declaration of their Principles,

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This, he maintained in fact, was not at all calculated to wipe away any such impression; 10,000 copies were struck off, and were to be distributed amongst their correspondents, and to be stuck up, at midnight, in the various parts of the town. He would here introduce a remark, which was to call the attention of the Jury to the various manœuvres practised, in the distribution of their several libels, so as to render it impossible that the law should be equally extensive as the mischief—They were published without either the name of the author or the printer. They were ushered into the world during the darkness of night; though they were many of them the productions of men well able to bear the face of day. For he must admit, many men of understanding were concerned in their composition. Whether they had exerted their understandings well or ill, was a question which he must not determine. If they could not be conveniently published on this side the Tweed, they were on the other; so that the law could not extend the remedy equal with the grievance. To revert to their justifying declaration, they declare, “They will not prove unworthy of their forefathers, should they be disappointed in their aims.”

He next noticed the Address to the People of Manchester, which was in the hand-writing of Mr. Tooke, and which contained this passage, “Cease to call laws equally open to the rich and poor, and desist from panegyrics upon your rotten constitution. The poor feel no benefit, and they are hostile to the rights of the people.”

He came now to another material part, where they began to combine principle with practice, according to the doctrines of Mr. Paine. After

their declaration of the 6th of August, 1792, wherein they confess they have no hopes from Parliament; after that period they began to strengthen themselves by affiliation with other societies, and develop their plan of a Convention. From various parts of their correspondence with other societies, it appeared the subject of a Convention was frequently canvassed and maturely deliberated. There were three propositions submitted to the judgment of the country societies, viz. Petition to Parliament; Address to the King, and the Plan of a Convention. They state, that they have little hopes from a Petition to Parliament; and the Address to the King was totally excluded. A Convention was the plan that struck them the most forcibly. By a letter from the United Political Society at Norwich, it appears, that they approved of the Convention, but they doubted whether the people were yet ripe for it. "The democracy (they say) is become mere matter of privilege and property, and the Convention would be the most desirable thing and practicable; but they doubt the people have not yet sufficient courage for that measure."

At a Meeting of the 18th of January, 1793, would be found the following resolutions:

"Resolved, That Citizen St. Andre, a Member of the National Convention of France, being considered by us as one of the most enlightened friends of human liberty, be admitted an associated honorary Member of this Society."

"Resolved, That Citizen Barrere, a Member of the National Convention of France, being considered by us as one of the most enlightened friends of human liberty, be admitted an associated honorary Member of this Society."

"Resolved

“ Resolved also, That Citizen Roland, being considered by us as one of the most enlightened friends to human liberty, be admitted an associated honorary Member of this Society.”

It was also resolved, that the speech of Barrere, concerning the functions and powers of a Convention, should be entered into their books.

The Attorney General here recited the arguments used by Barrere, and urged, by the Corresponding Societies having adopted them, they were evidence of what their opinions and intentions were. “ A Convention was stated to be superior to a legislative power, because it was derived from the people, from whom all power emanated. It concentrated in itself all the powers of Government, and was the people acting by their Representatives. It was upon the question of the inviolability of the King, where he asserted the people, by their insurrection, had repealed that inviolability, inasmuch as it amounted to a revocation of their tacit consent; and the inviolability of the King could only be as against the other branches of the legislature, and not against the sovereignty of the people.”

He thanked God, he said, that they had seen an insurrection in this country; otherwise, instead of hearing him relate those doctrines in a Court of Justice, they might, perhaps, have heard them in the British Convention as principles to be acted upon. By the Constitution of this Country, the King was inviolable, but this inviolability was not to be incompatible with private happiness or security, because he could never do any thing without advisers, and those advisers were not inviolable. The fair result and consequence of the reasonings brought forward by them, strongly
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went to prove their object to be the subverting the Government of the country. A Convention was not to prepare a petition for Parliament, because, on their grounds, the Parliament was a body constituted in such a manner as not to be able to grant what they desired. All their reasoning went to shew, that a Convention of the people was the only legal and proper mode of redressing grievances; and, in all their proceedings, we trace the design of establishing a Convention, and endeavouring to call that a Convention of the People.

He came now to another material part of the correspondence, which went to shew the connection between the Societies here and the Convention in Scotland. Delegates were appointed to attend there, and a correspondence ensued between several Societies in the country, and the Corresponding Society in London. On the 28th of June, 1793, a letter was received from Norwich, and an answer was transmitted by the prisoner, signed with his name, where he "advises them to be orderly, and well prepared for the event; that the Mercenaries were now landed, and they ought not to wait until their throats were cut." This alluded to the landing of the Hessians, who at that time were disembarked on the coast of England; and that, which was but a matter of humanity and hospitality to men who were in fact dying, without the possible means of breathing fresh air on board the transports, was by this man converted into an object of alarm, and wished to be represented as a thing of dangerous import. But the matter did not rest here; and he desired the particular attention of the Jury to what followed:—"We will not shew ourselves mob or rabble,

rabble, but an injured and oppressed people, in whom the value of our forefathers is not totally extinct."

He next proceeded to state the measure adopted to the formation of the British Convention, which lately sat at Edinburgh; the general completion of which he stated to be as already described. They called themselves the Convention of the People, and if those persons who had been tried for misdemeanor only, had been treated as traitors, he thought the law would have warranted it. They had proceeded to resolutions destructive of all Government; either they were subordinate to Government, or Government to them; but the whole of their reasoning attempted to prove the latter, and their resolutions went to put it into practice.

But before he proceeded to notice their proceedings in this Convention, he would notice the instructions given to the Delegates from the two Societies in London; the Corresponding Society, and that for Constitutional Information. The latter had directed their Delegates to support the cause of Reform, by all constitutional means; what those means were had already appeared; and if it was evident the mode they pursued was illegal and unconstitutional, it little availed that they used the word constitutional as a veil to their real purposes. The other Society had been more explicit in its directions, and directed its Delegates to adhere to the two points of universal Suffrage and annual Parliaments. One of the first resolutions which passed in the Convention, was, to resist the Parliament, should it proceed to such and such certain acts. Viewing the late bill passed in Ireland for the prevention of Conventions having illegal objects, they resolved, "That a Committee

tee of Observation be appointed in London, to give the earliest information of the kind mentioned in the former section. And what was the information required? Why, immediately that the Legislature should proceed to certain acts, that they would take measures to oppose them. If, for instance, they should proceed to a Convention Bill, which Citizen Gerald had called "A parchment piece of justice," or to any thing which they conceived was wrong there, that they act in opposition. For this purpose the whole system of modern French polity was introduced. They divided into sections, formed committees, and, amongst others, a Committee of Secrecy and Cooperation; the object of which was, to rally the Convention, should they be what they term—"illegally dispersed."—It is already well known what steps the Magistracy of that country took, and what was the result of their efforts.

We had now to return, and view the same plan, or part of the same plan, in England.

At a Meeting on the 17th of January, the following Resolutions were entered into:

"Resolved, That law ceases to be an object of obedience, whenever it becomes an instrument of oppression.

"Resolved, That we call to mind, with the deepest satisfaction, the merited fate of the infamous Jefferies, once Lord Chief Justice in England, who, at the æra of the glorious Revolution, for the many iniquitous sentences which he had passed, was torn in pieces by a brave and injured people.

"Resolved, that those who imitate his example deserve his fate."

This Resolution, the Jury would immediately perceive,

perceive, was meant to be directed to the Scotch Judges, and this would be further confirmed by the following :

“ Resolved, That the Tweed, though it may divide countries, ought not, nor does not, make a separation between those principles of common severity in which Englishmen and Scotchmen are equally interested. That injustice in Scotland is injustice in England ; and that the safety of England is endangered, whenever their brethren in Scotland, for a conduct which entitles them to the approbation of all wise, and the support of all brave men, are sentenced to Botany Bay—a punishment inflicted hitherto only on felons.

“ Resolved, That we see with regret, but we see without fear, that the period is fast approaching, when the liberties of Britons must depend, not upon reason, to which they have long appealed, nor on their powers of expressing it, but on their firm and undaunted resolution to oppose Tyranny by the same means by which it is exercised.”

After this, on the 20th of January 1794, there was a General Meeting at the Globe Tavern, in which they resolved to send forth an Address. The Address was accordingly framed, in which they state themselves to be associated for the purpose of obtaining a full, free, and perfect representation of the people. How is this object to be obtained ? They say, “ this is a question we have asked before ; and to us a National Convention seems the only adequate remedy—we shall never obtain it,” (and thus they go on to characterize the Legislature of the country) “ from our enemies, plunderers, and oppressors.” Their toasts after dinner were still stronger evidence of

their opinions. It was almost sinking into insignificance, to mention such a thing as a toast, in a great national question like the present, but in fact, they had a Committee to frame such toasts as they judged most expedient to inflame the minds of those present. Citizen Martin was in the chair at this meeting, and in a letter, under his hand, he gives an account of it: He says, their resolutions were tolerably strong; and a paragraph informs his correspondent, that the King had gone to meet *his* Parliament. He next noticed the meeting at Chalk Farm, and observed it was in consequence of the plan of the Committee of Correspondence and Co-operation, and a gradation in their plan of assembling a Convention. It was singular, that on the same day there were several other meetings in the open air at several other parts of the kingdom; and it would be found that the prisoner at the bar had sent circular letters to the remotest parts of the kingdom containing the project of a Convention. It was also worthy of remark, that when it was signified that the Friends of the People would not join in the plan of a Convention, it was received by a very large audience with an universal groan. An account of this meeting was also found in a letter of a very active Member, Mr. Thelwall, who avowedly styles himself a Republican and active Sans Culotte.

If, in addition to these cases, the Jury should find that arms had been prepared, and military societies formed; that the guillotine was talked of as an instrument to be introduced; and that the head of our King was to fall by it: that after the meeting at Chalk Farm, Mr. Thelwall cut off the froth from a pot of porter, with these words, "Thus would I serve all Kings:"—then surely they

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they would give that verdict which was due to their country and themselves. If, on the contrary, this case, after an attempt to prove it, should not be so made out as to convince them, then he would join in the prayer of the law, "God send the prisoner a safe deliverance."

The first witness, Thomas M'Lean, said he was a King's Messenger, and had seized several books and papers at Adams's, which he kept in his possession till he marked them—Proved a letter of Hardy's, of 27th March, 1794, which was read.

John Gurly and Alexander Grant were then called—one to prove the seizure of Hardy's papers, the other Hardy's hand writing---when,

Mr. Bowes, Counsel for the Crown, said, that he would now go chronologically through the papers and other written evidences.

Mr. Erskine stated to the Court the importance which it was to his Client to have the whole of the written evidence on the part of the Crown for consideration; he therefore submitted to the Court, that the Counsel for the prisoner should be allowed to take copies of the written evidence, otherwise they must request to have it read sufficiently slow for them to take it down.

The Court assented to their having the copies.

Edward Lauzun sworn, examined by Mr. Bowes, said, he was a King's Messenger; he went to the house of the prisoner on the 12th of May, and seized the several papers which follow. Mr. Grant was shewn one of the papers, which he believed to be the prisoner's writing; it is a copy of a letter to Mr. Buchanan, at Edinburgh, dated August 20, 1792. The letter was read; it was signed "Thomas Hardy, Secretary."

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William Woodfall sworn, said he knew Mr. H. Tooke's hand writing. A paper was shewn him; he said he did not think the main part of it was in Mr. Tooke's writing; but there were interlineations of that gentleman's writing. The paper was the original plan of the London Corresponding Society.

Mr. McLeane, a King's Messenger, was shewn a paper, which he said he found in the house of Mr. D. Adams.

Mr. Grant said the signature was, he believed, Mr. Hardy's writing. It was dated the 18th of October, 1792, and directed to D. Adams, Secretary to the Society for Constitutional Information. It contained the plan of an address of the London Corresponding Society to the French Convention.

Several letters were now read.

Mr. Grant being examined, said he was a printer. He became a member of the London Corresponding Society in the beginning of the year 1792. The meetings of the division to which he belonged, used to be at Mr. Boyd's in Exeter-street. The following persons used to attend the meetings of that division: Mr. Margarot, Mr. Hardy, Mr. Richter, Mr. Murray, Mr. Boyd, &c. He was applied to about the middle of that year, by a Mr. Gow, a member of the Society, to print some bills, which he refused to do; but afterwards he did print some bills for them. The prisoner Hardy paid him for 500 posting bills which had been ordered by the Society, and sent home to Mr. Hardy's house; they were afterwards returned to his house, and delivered from thence, he believes, to a person of the name of Carter.

The prisoner afterwards told him that Carter

was

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was taken up for sticking up those bills in the streets.

[One of those bills were shewn to the witness, which, he said, was one of those he had printed.]

He had afterwards an order to print some more bills, which he refused to do. - He had declined attending the Society for some time previous to this.

Mr. Margatot was President of the Delegates, and the prisoner Hardy was Secretary to the Corresponding Society at large.

Several papers found in the prisoner's house were now read.

On the next day, the first witness produced was John Gurnel, who, on being shewn a letter signed "Thomas Hardy," said he believed it was the hand writing of the prisoner at the bar.

This letter was read.

The next letter that was read was from Mr. Wm. Skirving, in Scotland, to Mr. Hardy, in which he insists on the necessity of Universal Suffrage, and Annual Parliaments. And that two persons should be sent from each of the Societies in England, as Delegates to the Convention that was to be held in Scotland.

Mr. Scott, of the Sheriff's Office, at Edinburgh, proved, that another letter, signed "Hardy," was found among Skirving's papers, when they were seized at Edinburgh. A printer, of the name of Grant, proved the signature to this letter to be in the hand writing of T. Hardy. This letter was directed by him to Skirving, in Scotland, in answer to the letter he had received from him, in which he informed him that he had requested a general meeting of the London Corresponding Society, for the purpose of taking into consider-

consideration the measure stated in Skirving's letter; that the Society had actually met, and had elected Maurice Margarot and Joseph Gerald as Delegates to be sent to the Convention to be held at Edinburgh.

The next letter that was read was dated London, 24th of October, 1793, sent by Hardy to Skirving, in which he informs him, that the London Corresponding Society had given their Delegates, Margarot and Gerald, instructions how to conduct themselves in their mission, and that they should, upon no account, depart from the original object and principles of the Society. They were directed, among other things, to support the obtaining of Annual Parliaments and Universal Suffrage, by natural and lawful means. They were directed to support the opinion that the election of Sheriffs ought to be restored to the people: that Juries ought to be chosen by ballot: that it was the duty of the people to resist any Act of Parliament which was clearly repugnant to any principle of the Constitution. And the Society required that its Delegates should be punctual in its correspondence with them.

This letter was signed "R. Hodgson, Chairman." "T. Hardy, Secretary."

Another letter that was read in evidence, was dated "Edinburgh, Tuesday, Dec. 2, 1793."

This letter was sent to Thomas Hardy, by Messrs. Gerald and Margarot, while they, in the character of Delegates from the London Corresponding Societies, were attending the Convention then sitting at Edinburgh.

In this letter they inform Mr. Hardy, that the Convention proceed with great spirit. Say they, "We sit daily, and last week we came to a resolution,

lution, which we fancy will give pleasure to every Friend of Reform. As the Minutes are to be printed, we will at present only give you the heads of it, viz. that should any attempt be made by Government for the suspension of the Habeas Corpus Bill, the introduction of a Convention Bill, or the landing of Foreign troops in Great Britain or Ireland, the Delegates are immediately to assemble in Convention, at a certain place, the appointment of which is left with a Secret Committee: That when seven Delegates shall be thus assembled; they shall declare themselves permanent; and when their numbers amount to twenty-one, they shall proceed to business. Thus, you see, we are providing against what may happen.

“Our time is so constantly employed, that we find it absolutely impossible, as yet, to write to you more than once a week, and even that on no fixed days. Eighteen hours out of the four-and-twenty are devoted to public business, and you may rest assured they are not mispent. We are happy to hear that you go on as well in the South as we do in the North. Letters convey but very imperfectly, and with no great degree of safety, what we might wish to inform each other of. You have done us a material injury by neglecting to send us a parcel of our Publications, and a number of copies of the Juryman’s Right. Pray do not delay them any longer, and among them some of the letters to Dundas.”

Another Letter from Margarot to T. Hardy, dated Edinburgh, 8th Dec. 1793, was also read in evidence. He says, “The Society will be able to discover, that our arrival in Scotland has been productive of great advantage to the cause, and at the same time has given great alarm to our enemies.

enemies. We are very much surprized at the remissness of the Society ; while we are exposing our Life and Liberty ; while we are devoting our time and our exertions to their service ; while we are incurring numberless expences, and affronting dangers that would stagger the most hardy of them ; while we are doing all this, we are moreover obliged to remind them of it, and that supplies are now become more necessary than ever. Surely the pecuniary exertions of any individual in the Society, can never be compared to our endeavours. Honoured with their confidence, we find ourselves happy in being placed in the front of the battle ; but let them remember, that our sacrificing ourselves will be of little use, unless they afford us a proper support, and that most immediately. Not daring any longer to trust to the post, we send you all these papers in a parcel. You will be so good as to make us acquainted with their safe arrival. Gerald wishes to get to London as soon as possible. He will communicate that which cannot be so fully expressed by letter. You may consider this as a private letter, but you may read such parts of it as you think proper to any Member of the Society, especially where it may be productive of good. You will see by the enclosed papers, that Power has proceeded in a most arbitrary manner ; almost all the prominent characters in the Convention have been or are to be apprehended or examined," &c.

Mr. Bower, on the part of the prosecution, stated, that they next proposed to read the proceedings of the Scottish Convention.

Mr. Erskine, as Counsel for the prisoner, said, he was not very anxious to shut out any evidence ;
but

but he could not conceive, as the case then stood, how the proceedings of the Scottish Convention could be evidence against Mr. Hardy. They had already heard the history of that Society, of which Mr. Hardy was Secretary, and it would be for the Jury afterwards to say with what intention and with what views, that Society was formed. That Society appointed two Delegates to attend that Convention. The holding of that Convention, was not charged as an act imputed by the indictment. But the prisoner was charged with conspiring, with others, to form another Convention, long after the Scottish Convention was dispersed. If it should turn out, that the Delegates from the London Corresponding Society, in a moment of heat, had written any thing, or said any thing; nay, he said he would go farther, if Mr. Margarot, or Mr. Gerald, had said or done any thing, not within the scope of their instructions, he apprehended that could not affect the prisoner at the bar. The defendant was charged with compassing and imagining the death of our Sovereign Lord the King. It was that wicked intention that was the foundation of the whole proceedings; and no act could be given in evidence which did not shew the prisoner at the bar had that wicked compassing. He did not know what they were going to read. It might not at all affect the prisoner. But standing there, not only defending the life of an innocent man, for so he had a right to call him until he was found guilty, defending his own life, and the lives of all the people of England. If they could connect Mr. Hardy with the proceedings of the Scottish Convention, his objection fell to the ground.

Chief Justice Eyre said, he took it for granted, that they meant to do that, otherwise the proceedings of the Scottish Convention were of no sort of consequence. There was enough, in his Lordship's opinion, to let in the evidence. The application of it was quite another consideration.

Mr. Solicitor General observed, that these two persons, Gerald and Margarot, were the agents of Hardy, and the rest of the Society, and the evidence appeared to him to be extremely important.

The Clerk of the Arraignment accordingly read the proceedings of the Scottish Convention.

James Davidson was here called, and examined by Mr. Garrow. He said he was a printer. A paper was put into his hand. After he had looked at it, he said he had printed a great number of copies of it, the manuscript was brought to him by John Thelwall. One person was along with him when he brought it, but he did not recollect who it was. He further said, that Thelwall had ordered him to print 200 copies of that paper, and then to stop. He accordingly printed 200 copies of it that day, and carried them to the Globe Tavern. He met Mr. Hardy on the stairs; he knew him before that time. He, the witness, was a Member of the Society, was sometimes at their meetings, and had seen Hardy there in the character of Secretary.---When he met him on the stairs, he told him he had brought 200 copies of the Resolutions. Hardy told him to take them away again, and not to distribute one of them. He accordingly did, and returned to the Globe Tavern to dinner. He was not present when those resolutions were voted. Some persons from the Globe Tavern sent to his house for them, and brought them to the meeting. He only saw one
of

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of them handed about there. In the course of a week he printed 3000 of them, according to Thelwall's orders. He carried a great many of them to Mr. Hardy, and some of the members of the Corresponding Society came to his house, and asked for a dozen or two. To the best of his recollection he printed 6000. Hardy gave him orders to go on with them till he should be desired to stop; which he believed was in the month of March. Until that time he went on printing them, now and then, and printed in all about 8000. He had not been paid for them. Nobody had promised to pay him for them. He put them down to the credit of the Society; he had made the Society debtor for them. He had printed others for the Society before, and had been paid for those by Hardy.

The paper was here read, and, among a great variety of other things, contained a number of resolutions, and of toasts and sentiments, in which John Martin was supposed to be concerned. The witness said he had been at Martin's house, but that he did not know him much. He had also seen him at some of the meetings of the Society, but did not know whether he was a member or not; he could not tell whether any persons were admitted who were not members. He afterwards acknowledged, that persons were sometimes admitted, though they were not members. The reason why he had called at Martin's house was, to speak to him about the toasts and sentiments in the paper alluded to. The witness told Martin, that he thought there were some hard words in the resolutions. Martin said, No; it was all constitutional.

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Another letter was also read ; it was dated March 27th, 1794, and signed " Hardy."

Richard Williams was next called as a witness, he said he knew John Thelwall, and on looking at the signature on a written paper, he believed it to be Thelwall's hand writing.

Mr. Garrow stated to the Court the grounds upon which he proposed to make it evidence against Hardy. He said it contained several addresses and seditious songs, composed and sung by Mr. Thelwall, in order to bring all the Constituted Authorities in the country into contempt. In this view he considered it as a step in the conspiracy, and, if so, he submitted it was clearly evidence against Hardy.

Mr. Erskine said, his learned Friend could not shew that these songs had been sung by Mr. Thelwall, and what Thelwall did was one thing, and what he said had been done was quite another thing.

Mr. Gibbs, Counsel for the Prisoner, said he had no objection to the evidence, but that he did not know where it was to end. That evidence was produced against the Prisoner to prove the compassing and imagining the death of the King. There was no proof that Mr. Hardy was aware of that letter. He was at a loss to guess to what point of the indictment it was directed.

There were three questions : 1st, Whether the Prisoner compassed or imagined the King's death? 2dly, Whether he compassed it by any of the overt acts stated in the indictment? And 3dly, Whether, supposing he had committed any of the overt acts, they were done with a view to compass the King's death? If that paper was evidence, it must

must apply to one of those three questions; and he was at a loss to apply it to any of them.

Chief Justice Eyre had great doubt whether that evidence ought to be admitted. He admitted, that, where several persons were involved in one conspiracy, the act of any one of them, in order to effect that conspiracy, may be imputed to them all. But Thelwall, in this case, only wrote to a friend, who was not a member of the Society, and therefore, his Lordship thought, the latter could only be considered as Thelwall's declaration, and ought not to be considered as evidence in this case. It was not like a fact done by Thelwall, which was a part of the transaction itself.

Mr. Justice Buller said, there were two things to be considered---1st, Whether there was any conspiracy, and what? and, 2dly, What part the Prisoner took in it? His Lordship was of opinion, that it ought to be admitted as evidence, in considering what the design was. The question was not upon the effect of the evidence, but whether it was admissible.

Mr. Justice Grose was doubtful whether it ought to be rejected. Both of these parties were concerned in one plan; it was very material what one of them said respecting that plan.

The Chief Baron considered this as only a relation of what passed to another in a private letter; and therefore his Lordship said he was inclined to reject it.

Baron Hotham did not think that letter was fit evidence to be received here.

Chief Justice Eyre said, after all he had heard, he still retained his opinion. The letter was therefore rejected.

William Walker was next called. He said he
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was an attorney, and that he knew John Martin and his hand writing. A letter was put into his hand, signed "John Martin," and the witness believed it was Martin's hand writing. That was dated June 22, 1794, and was addressed to Maurice Margarot, then in the Tolbooth of Edinburgh.

Mr. Erskine objected to the reading of this letter as evidence against Mr. Hardy. Suppose a man was a member of a society, if the acts of any one man in that society were to be imputed to every member, no man would ever think of going into any society. In that letter Martin was supposed to speak contemptuously of the King. *Non constat* that that letter was ever delivered to Margarot. He contended it had never been out of the hands of Martin. But suppose such a letter had been written to him, Mr. Erskine, and that it had been found in his custody, he might have expressed his resentment at it, though he could not prove that circumstance. A man could not prevent another from writing to him. They were then far advanced in the second day on that trial. When he considered the magnitude of it, he did not know how to express himself. There was no instance, he contended, in the history of the law of this country, where, in a trial for High Treason, they were ever obliged to have recourse to the expedient they had used last night with regard to the gentlemen of the Jury. If that letter was to be read in evidence, Mr. Martin ought to have an opportunity to explain it. He objected to that letter being read.

Mr. Gibbs said, it seemed to him, that this was an attempt to bring before their Lordships the same question again. The last letter was rejected, because

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because it contained a relation of facts, by the writer, of which the prisoner was not cognizant. This letter the learned Counsel contended, came within the spirit of the case decided on the last argument. He submitted, that to make that letter evidence, would be contrary to all law, and he was certain it was contrary to all justice. The object of that indictment was to try the mind of Hardy.

Mr. Solicitor General, Mr. Serjeant Adair, Mr. Bearcroft, Mr. Bowyer, and Mr. Law, spoke very ably on the part of the prosecution, and endeavoured to shew that it ought to be received in evidence.

Chief Justice Eyre was of opinion, that it came under the spirit of the last case, and that it ought not to be received in evidence.

The other Judges were of a different opinion, and thought it was evidence. It was accordingly read.

It stated, among other things, "that Margarot's conduct received universal approbation. People are now subscribing. They put their hands into the bottom of their pockets, and swear by G---d, you (Margarot) shall be supported by the last guinea.---The King came down to his parliament. They sat till six o'clock; only 12 members voted against the war. It was even reported, that a woman being moved and seduced by the inspiration of the devil, in St. James's Park, took off one of her pattens, which she threw at the King's carriage, and whereby she broke the glass and alarmed his Majesty. God save the King; for if, as Gerald says, &c."

Several letters were read, from different parts of the country, to the Corresponding Society.

Mr.

Mr. Bower confessed the books, now produced, were the same that were used for entering the proceedings of the Constitutional Society; and that they contained minutes of the business transacted in their meetings.

The Court then proceeded to read extracts from the minutes of their proceeding.

Mr. Jordan deposed, that he did not know the hand writing of Thomas Paine, though he had seen what he believed to be his writing. He was the publisher of his Rights of Man, which Chapman printed. Chapman printed the first part of the Rights of Man, and the first part of the second.

At a meeting on the 25th of September, 1792, of the Society for Constitutional Information, read a letter from T. Hardy, as Secretary to the London Corresponding Society.

It spoke their hearty abhorrence of a connection with German despots, and hoped the names of Freemen would be sufficient to counteract their designs.

To this letter an answer of thanks was returned.

Here the Judge addressed the Jury---As he could not flatter them that a short period would enable them to go through any one description of evidence, he advised them to withdraw for refreshment.

At half past four o'clock the Jury returned, and the Court being resumed.

Lauzen, the Messenger, was called in to prove the finding the first edition of Paine's Book in the house of Hardy.

Then was read the Address of Paine to the Convention of France upon his being elected a Member

ber of the Convention, and ordered to be distributed by the London Corresponding Society.

It spoke of the purity between the situations of America and France, and the work that was before them, the unconfined operation of liberty, and the impolicy of despots. It exhorted them to punish their enemies by instruction rather than revenge.

Thomas Chapman deposed that he had printed the whole First, and the former part of the Second Part of the Rights of Man, as far as signature K, page 128 included. He did not finish the book, but returned the rest to Paine.

The Clerk of the Arraignment then read several long extracts from the Rights of Man. The tenor of them went to prove the design of the author to make the English Constitution odious and ridiculous.

Further proceedings at the Crown and Anchor were then read, on the 28th of September, and 5th of October, 1792: Also a letter from the Constitutional Whigs and Independents--and the thanks were voted: Likewise Joel Barlow's letter to the Convention of France, transmitted to the Society--it represented the defects of the Constitution of 1791--The thanks of the Society, for the communication, were voted at the next meeting, on the 12th of October.

Joseph Johnson deposed that he published this pamphlet, the sale of which paid the charges, he did not know the author or authors, upon being asked if the sale was extensive, the Chief Baron desired the witness might not be pressed upon this subject.

Lauzen proved the seizing Barlow's letter at the house of the prisoner. This letter was trans-

mitted to the Corresponding Society, together with a copy of the same writer's letter to the Convention.

Mr. Johnson was here asked, if Mr. Barlow was the author of "Advice to the Privileged Order?" He said he published it for Barlow, and sold about 1000. (Extracts read from it.)

Several interrogatories then ensued.

William Huskisson, of Pall Mall, who had sometime resided in France, as Secretary to Lord Gower, was called upon to substantiate an Address from a Society in France. Mr. Huskisson corrected several errors in the English translation of the Address.

Mr. William Woodfall deposed, that the paper shewn him was the hand writing of Mr. Horne Tooke, whom he had seen write several times.

Mr. James Thornton, on being shewn four manuscripts, deposed, that they were the hand writing of Mr. Horne Tooke.

Mr. Thomas affirmed, that the two papers now presented, were among those seized in the house of Mr. Horne Tooke.

An extract was then read from the proceedings at the Crown and Anchor, on the 18th of January, 1793, Lord Semple in the Chair, when there were present,

Count Zenobio, Mr. J. Williams,

Mr. Chapman, Mr. Balmain, and

Mr. Reider, others,

It was resolved, "That Citizen St. André should be admitted an Associated Honorary Member of this Society; and that the same should be published in the newspapers." Ordered.

At another Meeting, 25th January, 1793, it was resolved, "That Citizen Barrere should be admit-

admitted an Associated Honorary Member of this Society ; and that the same should be published in the newspapers."

A resolution was also made to the following effect :—“ That the people of this country (meaning Great Britain) are averse to a war with France.”

In an extract from a letter written by Mr. Horne Tooke to Petion, Mayor of Paris, Mr. Tooke offers the donation of 4000 livres to enable the French to defend themselves against all Tyrants, with assurances that he would give them every assistance in his power in the cause of Liberty—even against his own countrymen !

The French paper, called the *Moniteur*, was then produced, recording these facts ; containing also the congratulatory speeches of St. André and Barrere on this subject.

Mr. Huskisson when called upon to swear to particular papers first produced, declined.

Mr. De Boffe deposed, that he was a bookseller in Gerard-street, Soho ; that he sold French newspapers ; that he believed the papers now shewn him were the French *Moniteurs*, as genuinely printed in Paris ; that he had dealt extensively in the newspaper, called the *Moniteur* ; that they had, at the time alluded to, been regularly sent from Paris to Calais ; then to Messrs. Minet and Fector, Dover ; and that all those which he had received, had been constantly examined by the Custom-house officers ! [The emphasis with which Mr. De Boffe delivered himself in the concluding part of his deposition, produced a loud laugh.]

A letter was read, which the Constitutional Society transmitted by Mr. Rowan to Simon Butler and Oliver Bond, to congratulate them on the

resistance they made to the Aristocracy of Ireland.

At a meeting of the 12th of April, 1793, Mr. Frost read a letter, which he was directed to prepare, in answer to one from the United Societies of Norwich, which was given in evidence.

A resolution of the Constitutional Society of October 28, was read, to send Delegates to the Convention at Edinburgh, and their choice of Mr. York and Mr. Sinclair to that office, together with the original instructions. There were two minutes of these instructions; the first, that the Delegates should assist in forwarding any petition to the House of Commons, to enquire into the state of the said House, and require a Reform of Parliament. It was afterwards altered to instructions, that they should assist generally in any constitutional mode of procuring a reform. That they also demand annual parliaments, general suffrage, and the right of the people to frequent reforms, &c. &c.

Mr. Adams, their Secretary, proved these instructions.

It turned out, that they allowed the Delegates seven guineas for travelling, and three guineas a week during their continuance in that office.

Resolutions of the 17th of January, 1794, were read: "The law ceases to be an object of obedience as soon as it becomes an instrument of oppression," &c.

In a sitting of the 24th of January, they resolved that the excellent Address of the London Corresponding Society should be inserted in their books, and the King's Speech to his Parliament should be printed under it, and that 40,000 copies of them should be printed on one sheet of paper.

On

On the 11th of April, in conference with some Members of the London Corresponding Society, it was resolved, that it was necessary to hold a Congress of Delegates from the people, for forwarding which they passed some regulations.

He then went on to read their subsequent proceedings, their consolatory address to Skirving, Muir, and Palmer, and the very eloquent answers returned by those gentlemen.

Two papers found in the possession of Mr. Hardy were also produced.

The first paper related to a meeting of the different divisions of the London Corresponding Society, held on the 30th of April, 1792, for the purpose of appointing a Standing Committee of Delegates, to draw up the *formula* of a constitutional code of laws for the government of the Society.—Of this Committee, it appeared that Mr. Margarot, Mr. Vaughan, Mr. Richter, Mr. Martin, Mr. Baxter, &c. were appointed members. The other paper was of little consequence.

Lauzun proved a paper found in Hardy's custody. This was a report from the Committee of Constitution; in which were stated the sentiments of the Committee with respect to the state of the Representation of the People, and several grievances detailed, which appeared to them to take their rise from unequal representation, and the want of annual parliaments. The doctrine of the equality of mankind was defended; a declaration made that no majority, however large, ought to deprive the minority of any part of their rights, and that if such should ever be the case, the minority had then a perfect right to resist. Magistrates were declared to be responsible for their conduct. The defects in our representation were asserted to be

be the only cause of a great variety of grievances, under which, they said, they laboured, which deprived us of the benefit of good government. Among those grievances were stated to be the Corn Act, the Game and Excise Laws, the Stamp Duties, the encouragement of Spies and Informers, the Mutiny Act, and the Impress Service.

Mr. Bower produced two copies of the Address to the Addressers, by T. Paine, and called Mrs. Rickman, the wife of T. Clio Rickman, a book-feller, who deposed, that these pamphlets were printed for her husband. She knew T. Paine, who lodged at Rickman's house, from June to September 1792. She had seen the proof sheets of the pamphlets, which were brought to her house while Paine was there. Paine himself was to have the profit of the large edition, and Rickman of the smaller.

William Camage deposed, he was a member of the Society for Constitutional Information at Sheffield. He acted as Secretary about six months. In May last, his office ceased. In that situation, he used to sign letters of correspondence and resolutions. The professed object of the Society, when he became a member, was; and he believes still is, a Parliamentary Reform. That was the avowed object during his Secretaryship. He continued a member until he was taken up, and he never discovered any variation as to principle. The Society chose Mr. Brown as their Delegate to the Scotch Convention about a year ago. He was sent to Edinburgh by the Society, with a supply of money. He took ten pounds from Sheffield, and as much from Leeds, which he gave him. The expences of his journey were defrayed by the Society. He received the money from
Gales,

Gales, the printer, who was a member, and who has since absconded. He recollected Mr. Yorke becoming a member of the Society. Their object was, as he before stated, and he never heard him propose the effectuating of it by arms in public. When the Society was threatened to be dispersed by the opposite party, the people thought they had a right to be provided with arms to protect their peaceful meeting in their own defence. Mr. Yorke approved of that resolution, and likewise of the blade of a pike shewn him by one Hill, the maker. About three dozen were made, and shafts fitted into them. He heard Mr. Yorke's speech on the Castle Hill; he said nothing, that he recollected about arming against the Government. He did urge the utility of petitioning Parliament, and a resolution to that effect was agreed upon. An address to the nation was proposed, which was approved of. Mr. Yorke was conducted home in triumph. He was drawn in a carriage by the people. Camage never heard him speak of a Convention, unless it was in reprobation of the Scotch Convention, which he considered as premature. The Societies, he said, ought to have consulted the people, and collected their sentiments, before they presumed to meet in Convention.

The two letters, found at Mr. Hardy's, were shewn to the prisoner, which he identified. To prevent suspicion and detection at the Post-office, the Secretaries to whom they were addressed, were directed to transmit all the communications to the Society, through the medium of one Moody, a carpenter, at Sheffield. The witness was then desired to describe the pikes that he had seen in the possession of several members of the Society.

Moody,

Moody, he remembered, put the handles into three dozen pike heads. The shaft was of fir, about seven feet in length, and the head fluted like a bayonet, sharp at the point, and, including the socket, might be ten inches long. He had heard of such a thing as a *night cat*; and he saw the model of one. It was for annoying cavalry, by scattering them on the roads.

When cross examined by Mr. Erskine, he confessed, that by the Bill of Rights, they concluded that they had a right to arm in their own defence, and the pike was the cheapest instrument. As to the *night cat* (of which he only saw the model, and he believed none were made at Sheffield), a friend of his told him he had seen plenty of them about twenty years ago at Newcastle. Their resolution to arm was not in opposition to the power of the State, but against the enemies of Reform, who threatened to attack them, if they did not disperse. It was merely to defend themselves, the peace of their city, and the constitution of their country. They never entertained an idea of employing those arms against King, or Parliament.

— Broomhead, late Secretary to the Constitutional Society at Sheffield, was the next witness examined. He had acted in that capacity for five months, previous to his having been taken into custody. He considered that Society as acting in concert with, and making a part of the Society for Constitutional Information in London. He admitted, that they had delegated a member to the British Convention in Scotland. He knew Mr. Henry Yorke. That gentleman very often made violent harangues in their meetings, but the Society never concurred in or adopted his sentiments. He admitted, that pikes had been made in Sheffield,

field, but they were merely for self-defence, under the authority, as he conceived, of the Bill of Rights.

Mr. Yorke's speech, on the 7th of April, 1794, and some other papers, were then read in evidence.

The quaint answers of this witness, upon cross examination, frequently excited a smile from the Court.

The Resolutions of the London Corresponding Society, dated the 20th of March, 1794, were then read. These went to approve of the serious lecture given on the Fast Day at Sheffield.

The Resolutions passed on that day at Sheffield were also read. They declared, that a system of war was only a system of famine and blood; and that fasting or prayer, for the support of such a system, was merely the trick of Court sycophants, and was, in fact, a solemn prostitution of religion.

Henry Alexander, a linen-draper, as he was described in Fleet-market, was next sworn. He became a member of the London Corresponding Society in the latter end of the year 1793. He was present at a meeting on the 5th of November 1793, when Mr. Yorke came to take his leave of that Society. There were then present between 60 and 100 members. Mr. Yorke said he was going to Belgium.

He said that he was a member of the French Convention (this is not true in fact) that he was going to put himself at the head of the French army, and expected shortly to lead them to London; that he hoped the Society would be ready to join them, and would not shrink from what they pretended to be. That he hoped to see Mr. Pitt's

head, with those of the King, and the other Ministers, very shortly on Temple-bar; that the Sans Culottes were brave fellows, and that the King and Queen of France, then in confinement, had only met with their deserts; that there were several brave fellows at Sheffield; but that the Society should remember, that no good could be done without some bloodshed.

Being asked, whether Mr. Yorke had said any thing about pikes, &c. he replied in the negative. A mention of these had been made on a former night, but by what member he knew not, on the introduction of a visiting member from Sheffield. Some persons said, that they should be provided, in like manner; and that as to the expence, it was only living on bread and cheese one day.

He was asked, how the speech of Mr. Yorke was received by the Society? he replied, That those who were unanimous, got up, and shook him by the hand, and wished him a good journey. He did not continue a member of the Society. He went immediately to Mr. Dundas, and the Lord Mayor (Sir James Sanderfon) to inform them of what had passed.

On being cross examined by Mr. Erskine, he said, he did not go to the Society, with the purpose of becoming a member. He went the first time through mere curiosity, and every subsequent time as a spy. He was by profession a journeyman linen-draper. He kept no shop. He had served different employers, but was not now in a situation. Being pressed with respect to his occupation for the last five years, he faltered and prevaricated greatly in his account. He had lived with Mr. Smith in Cheapside, Mr. Faulder in Holborn, and lastly with a Mr. Chillaby, now a
taylor

taylor in Moorfields. He had made an engagement with Mr. Manly in Holborn, at a salary of 2*g*l. per annum, but had lost it by being subpoenaed in this business. He did not know that an half hour attendance would be sufficient. He had never asked his employer leave to attend. On the contrary, he told him, that he was going into the country. He thought he was to go to Sheffield to give evidence on the trial of Mr. Yorke. This was an idea which sprung merely from his own imagination. He afterwards admitted that it was from an intimation given by Mr. White, Solicitor to the Treasury.---He said he had left his place in Cheapside on account of "words" with his master, but the cause of their quarrel he could not remember. This witness on his further examination, could not recollect any one particular of what had passed on the other six nights that he had visited the Society, except that Mr. Yorke came in one night and stated that he had been on a visit to Mr. Frost in Newgate, who was to be pilloried the next day.

Thomas Whitethorne, George Wadson and Robert Moody were next examined.

The next witness was John Edwards, who had been for some time in custody. He had been a member, he said, of the London Corresponding Society, and belonged to the division, No. 22. In April last, he was informed by the prisoner, that some person, unknown to the witness, and who resided at Sheffield, had offered to make the blades of some pikes for any person who wanted them; the prisoner, at the same time, produced a letter he had received from this unknown person upon the subject, and read part of it to the witness, adding that he understood a place had been

discovered, or appointed some where in Sheffield to forge the blades for pikes, and that those persons who were desirous of being furnished with those instruments might procure them by an application to that place, especially those who were resident at Sheffield, and belonged to the Society established in that town. Some time after this conversation with the prisoner, the witness heard that a meeting of one of the divisions of the London Corresponding Societies was appointed to be held in Green-Harbour-court. The object of this meeting he learnt was a consultation among such of the members who were desirous of having the blades of pikes made for them. The meeting being accordingly held, it was proposed and agreed, that those desirous of being furnished with these instruments should pay down one shilling each; a plan was also afterwards appointed for several members of the London Corresponding Society to learn the exercise of the musket; he believed the room was somewhere in the Borough, but he did not learn whereabouts; he knew a person by the name of Franklow, he was a member of the London Corresponding Society; but he did not belong to the same division as the witness did; he heard in a conversation at the Society, that there was an association at Franklow's at Lambeth, but he did not know for what purpose they met; nor he did not know in what dress they all met at Franklow's. But he had seen some of them at the anniversary dinner in a sort of regimental dress. A division of the Society, No. 22, afterwards met at the Three Tons, Snow-hill, to consult whether they should form an association similar to that of Franklow's; but nothing was agreed upon; there were sixteen members present there belonging to different

different divisions: he had heard of a Secret Committee that had been formed, but it was soon dissolved. Of this Secret Committee, Mr. Martin, Mr. Thelwall, Mr. Baxter, and others, were members.

This Committee was afterwards revived. The province of this Committee was to receive letters, and hold a correspondence; the General Committee of Delegates met at a house in Compton-street, from whence they adjourned to Mr. Thelwall's house in Beaufort-buildings; he remembered a Committee of Correspondence with the Constitutional Society being appointed: he also remembered a debate among the members of the London Corresponding Society, respecting the trial of Mr. Eaton, when it was proposed to present a medal to the twelve jurymen who had acquitted him; he was likewise present at the meeting at Chalk Farm, and had a ticket of admission from the General Committee for that purpose. At Chalk Farm, about two thousand persons were assembled; they met in a trapball-ground there; he saw there Mr. Thelwall, Mr. Moore, Mr. Richter, and many other members of the London Corresponding Society: he did not know whether the prisoner was there or not, or what passed at this meeting, being in the long room with some ladies the greater part of the time; he was afterwards present at a meeting at Robins's Coffee-house, Shire-lane, Temple-bar—here a paper was handed to the witness, and he was asked if it was delivered to him at that house by any person and whom; he said he did not receive one of the same size, but he did of the same tenure and contents, though of a different date.

The paper was read. It stated that, a new farce would

would be performed, intitled: "The Guillotine, or George's head in a Basket!" It then ludicrously mentioned the *Dramatis Personæ*. It was dated 1st of April, 1794.

Mr. Erskine opposed the production of this paper in evidence, it not being the identical paper received by the witness. This objection was over-ruled by the Court. After the meeting was over at Chalk Farm, the witness went to Compton-street, where Mr. Thelwall, and other members of the London Corresponding Society were assembled at supper; the witness did not recollect any conversation at the Globe Tavern, about the Hessian troops, nor seeing any paper there upon that subject; he was not present at Robins's coffee-house when Mr. Yorke made his speech; he knew Mr. Hodson, but never received any printed paper from him: he had been at Thelwall's lectures, but never heard that any person was forbid, or prevented from taking notes of the lectures; he knew Mr. Gosling and Mr. Hillier. A short time before the prisoner was apprehended, Hillier and Baxter called upon the witness to speak to him about some pikes, the witness afterwards destroyed his pike for fear it should be found upon him. Hillier had a pike, but he did not know where it was constructed. Upon his cross-examination, he said, he made the pike to protect himself in case of any illegal dispersion of the London Corresponding Society; he had not the least intention to use the pike he had made against the King, or the Government of this country, and he verily believed, that not one of the members who had possession of, or ordered pikes, intended to use them in rebellion against the King, or for any unlawful

lawful purpose whatever, but merely in their *lawful defence*.

The witness said, that the prisoner always reported himself in a very peaceable and orderly manner, seldom speaking at any of the divisions, and when he did, he never used any improper expression; he never heard the prisoner give any orders for, or even talk about pikes, nor did he believe that he ever saw the paper that had been produced in evidence, or had the least knowledge of it; he was convinced that the prisoner had never meditated any act of hostility against the King, or the Government.

Samuel Williams said he had furnished an association at Lambeth with eleven muskets. From the regulations of that body, it appeared they had associated to step forth in case of foreign invasion and civil commotion, that they wore an uniform, learned the manual exercise, and assumed the title of the Royal Lambeth Association. They professed to have a reform in Parliament in view, but if they did not obtain it by petitioning, from some conversations he heard, they would resort to force.

John Groves was then called, who deposed, that he was present at a meeting of the Corresponding Society, on the 20th of January, 1794; that he was afterwards desired, by a particular gentleman, to become a member, which accordingly he did. The name of this gentleman he had no objection to mention, but was told by the Counsel for the prosecution that there was no occasion. At the meeting where he first attended, Martin was in the chair, an address was read, and a great many toasts given, which he did not now recollect.

On cross examination the witness stated that he
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was present at the meeting of the Corresponding Society at Chalk Farm, on the 14th of February. Lovatt was in the chair; a letter was read from the Friends of the People, and an Address proposed; some printed papers were delivered to the persons present. He was asked if he had any of these printed papers about him; and, upon answering in the affirmative, was required to produce them.—The printed account of the proceedings at Chalk Farm was then read.

He said, the principal persons who spoke and acted at the meeting, were Lovatt, Thelwall, Richter, and Hodson. Thelwall said, that he would permit all spies to be present at that meeting, for the account they would have to carry home of the numbers of the Corresponding Society, would be no very agreeable news to their employers.

After the meeting was over, he adjourned along with Thelwall, to the public house in Compton-street, where the division met, and there indeed I heard something that much astonished me; for Thelwall, taking up a pot of porter, and cutting off the head, said, "Thus would I have all Kings served," or "Thus I would serve all Kings." Thelwall also gave as a toast, "The lamp-iron at the end of Parliament-street;" and called upon another person to cover it. who gave—"And at the Treasury Bench."

At the meeting at Chalk Farm, he was sitting in a box with about ten, and was rather surprized at remarking, that five or six of them produced out of their pockets small instruments corresponding with each other. These resembled what the French call *couteau secret*; opening with a spring, and not apt to fly back. One of the company remarked these

these were bread and cheese knives, at which he could observe a smile upon their countenances. He was told that he might have one at Mr. Green's shop, Orange-street, Leicester-fields. He went there about a week after; Green told him that he had sold about two or three hundred of these knives; and, the parlour door being open, desired him to speak very low, "For (said he) my wife is a damned Aristocrat."

He was present at the dinner of the society for Constitutional Information, held at the Crown and Anchor, on the 2d of May. He stated, that Hardy brought him a ticket for that dinner; he put his hand into his pocket, but was told there was nothing to be paid for it. Previous to the company having assembled to dinner, some very bad news had arrived from the Continent, which seemed to diffuse an air of general satisfaction. A copy of a song was delivered to every individual of the company; and there was likewise a paper laid on each plate, but its contents he did not recollect.

The moment the company entered the dinner-room, the air of *ca ira* struck up, and continued to be played during the whole time of dinner, being repeatedly encored. It was followed by the Marseilles march, and the Carmagnole.

This witness further stated, that after dinner Horne Tooke got up and said, that there were in the room some government spies, and those he wished in the first place to address. To this the witness particularly attended. He desired the company to remark, that he was not in a state of inebriation; for having something to say, he had taken care to refrain from the indulgence of his glass. He then proceeded: He called the Treas-

fury Bench a scoundrel sink of corruption; and the opposition, a scoundrel sink of opposition; he said there was a junction between these two parties, for the purpose of destroying the rights and Liberties of the Nation. He then, speaking of the hereditary nobility, asked, Whether that skip-jack Jenkinson could be considered as one of the hereditary nobility? He called the King a *poor man*, but whether to amuse or abuse the witness could not say—After this there was a song to the tune of “God save the King,” but he did not recollect whether it was sung by Horne Took, or whether he only added a verse, which he said had been forgotten. This was the song of which a copy was handed about to the company, previous to dinner.

The Attorney General produced the song, a copy of which was read in evidence.

This witness when cross-examined by Mr. Gibbs, confessed himself a spy, and that he was employed to attend by a gentleman, high in office for the purpose of procuring information. He also confessed, that he had frequently seen such knives before, and that they were very common; also, that the Assembly consisted of a number of respectable gentlemen.

George Lynam deposed, that he became a member of the division, No. 12, at the sign of the Mansion-house. He received rules of the Society, and an address; did not know the date, but believed it was in March, 1792. The division of the Society adjourned from thence, in consequence of intimation given to the landlord, to the Crown in Newgate-street.

This witness gave a very dry and tedious evidence, from several books which he had filled with memorandums of the proceeding at the different

ferent meetings and divisions. To the questions put to him by Mr. Bower, he stated himself to have been bred an ironmonger. He became a member of the London Corresponding Society by accident. Being at a public-house where one of the divisions met, he saw a printed paper, containing some resolutions; he warned the landlord against these societies, which had for their object to overturn the Constitution; and if he suffered them to continue to meet in his house, he would have his license taken from him. He afterwards introduced himself among them, for the purpose of observing them, and became a member.

On cross-examination by Mr. Erskine, he said he had been engaged in the commission line, for several years, for captains in the service of the East-India company. He had been first induced to become a member of the London Corresponding Society, from a conviction that traitorous designs against the Government were entertained by its members, and that it was his duty, as a good subject, to assist in procuring the overthrow of their plans. Soon after his admission into the society, he became the object of suspicion to some of the members of which it was composed, and was tried and honourably acquitted of such a charge.

James Walsli stated his having been at Chalk Farm meeting. He heard something mentioned respecting a Convention. The resolutions were read in his presence. One hundred thousand copies were ordered to be printed; and, if necessary, it was said, that the number might be increased to 2,000,000. He remembered having heard Thelwall speak on the occasion; but does not recollect any part of his speech. He was con-

vinced, indeed, that there was no proposition, nor one word uttered, relative to arms. There was one man there, from Ireland, which he knew by his brogue. Cannot charge his memory with any further particulars.

Thomas Green of Orange-street, Leicester-fields, declared, that he had dealt in knives and forks ever since he had been in business. Of three dozen of spring knives, which he had received from Sheffield, he had sold fourteen. He had sometimes disposed of single knives. The prisoner, Hardy, had purchased some in packages, which consisted of six, sometimes seven, in the package. Green sold one to Billington, and another to Groves; but said, that he had got most of those taken by Hardy, on account, returned to him when the prisoner was apprehended. The witness remembered having been one evening at supper at Compton-street, where he cut his food with a knife of this description, which received the approbation of the company.

When cross-examined by Mr. Erskine, this witness said, that he dealt in those knives for several years. They were neither new, nor secret. They always lay in my window for common sale, and he dealt in them for more than seven years. He never knew any cutler without them. He also contradicted what Groves said, and declared he never called his wife a damned Aristocrat.

Edward Hodson said, that he was a member of the London Corresponding Society about three months. Believed that there was no other object in view than a Parliamentary Reform. That the change which they wished to effect was that in the Commons House of Parliament; that it was no part of their plan to attack the King, but that they

they entertained very different objects; that they designed no diminution of his power; that they never intended to displace or overthrow the Lords; and that the witness left the Society when he learnt that Hardy and Adams had been apprehended.

Arthur M'Neal, of the Water of Leith, was a delegate, in the Edinburgh Convention, and attended their meetings sometimes. After the Convention was dispersed, there was a Committee of Union formed, some of them of the Committee of which Watt was a member. There was a Committee of Ways and Means appointed afterwards, Mr. Holt, Mr. Burke, Mr. Richardson, Mr. Watt, Mr. Downie, and himself.—In that Committee, which was held in the month of April, the original object was to defray the expences of Mr. Skirving.—Watt read a plan, proposing to seize the Lord Justice Clerk, and the rest of the Lords of Council and Sessions, and the Lord Provost of Edinburgh; to kindle a fire in the Excise Office of the New Town, and there was to be a party stationed at Lochin Brach, and a party in another part of Edinburgh. The fire was to draw the military from the Castle. The two parties were to take them in front and rear. Different parties were to seize the different banking-houses in Edinburgh, and commissioners were appointed to collect the cash of the banks. When Watt read this first plan, there were present Mr. Stock, himself, Watt, Downie, and another, being five out of the nine of which the Committee was composed. The prisoner objected to any thing that would tend to shed the blood of his countrymen, in which Downie agreed with him.

On one of the last nights he attended, Watt
read

read another plan, in the presence of the same Committee, in form of a proclamation, prohibiting all farmers or dealers in corn, grain, or hay, to remove the same from their dwellings, under pain of death; also, that no gentlemen should go above three miles from their respective habitations, under pain of death. On the other side of the paper, was an address to his Majesty, ordering him to dismiss his present Ministers, and put an end to the present war, or abide by the consequences. The address was to be sent to his Majesty the morning after the attack. This plan he conceives, was to strengthen the former one. The witness told Watt, those things did not belong to a Parliamentary Reform, and he would have nothing to do with him. Watt called upon him, and asked to take a walk to Orrock's, whom he asked to make some pikes, which Orrock sketched out on a board or plate. Watt desired him to be busy and work, as he had 4,000 to send to Perth, beside what he was to distribute about Edinburgh. He met Stock at the Committee, who said, he was going to London or Bristol; and that he would wait upon Mr. Hardy, the prisoner. Watt offered him a letter to the prisoner, to form a correspondence with Mr. Hardy, and him, in a safe manner.

George Lynam produced his books and papers. The most material part of his evidence was, that he never heard the prisoner propose any other mode of Reform, than by a peaceable and constitutional application.

The Attorney General then produced two papers, which were found in the possession of Thelwall, and in the hand-writing of Marrin, after Hardy was in custody. They were brought forward

ward to prove, that they existed before the apprehension of the prisoner. They were the resolutions of the Chalk Farm meeting, and were proved by Shaw, the messenger, to have been found in Thelwall's house since the apprehension of Mr. Hardy.

The hand-writing of Martin was proved by William Walker, Evan Evans, and his wife.

John Edwards was sworn, and a hand-writing being produced to him, said, That he had seen one of these bills handed about at the division meeting of the London Corresponding Society, No. 11, held at Mr. Scotney's on Snow-hill.

This bill was put in and read. Of which the following is a copy.

“ The Ins tell us, we are in danger of an invasion from the French. The Outs tell us, we are in danger from the Hessians and Hanoverians. In either case, we should arm ourselves. Get arms, and learn how to use them.”

The evidence on the part of the Crown being closed, the Hon. Thomas Erskine rose in the prisoner's defence, of whose excellent and well-timed speech, the following is a summary:

“ Before I proceed to the case, as it regards the law and the evidence, I wish to follow the liberal example that has been set me by the Attorney General, in his opening speech, in putting aside every thing collateral to the question. But first, both in the name of the prisoner, for whom I stand, and for myself, I desire to ascribe to all that eulogium, pronounced by the Attorney General, on the constitution of this country, as handed down to us by our ancestors, the result of their superior wisdom and virtue, and entitled to the esteem and veneration of all posterity. What I will ask, en-
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titles the constitution to this eulogium? I will now speak of the right which it affords to its subjects, of making their own laws, but of the equal protection afforded to all, and the security provided for the impartial administration of justice. The Attorney General seemed to lay great stress on the anarchy and confusion of France, on which he descanted at length. Into that subject I will not at present enter. But what is it that the French have chiefly to deplore? They are at present under the dominion of a barbarous necessity, in consequence of which no man's life, liberty, or property is secure, or at his own disposal for a moment. The first instant that a charge of incivism, federalism, or moderantism, is brought against him, the sentence of the Revolutionary Tribunal follows—quick as the thunderbolt pursues the flash, and he is doomed to behold his friends and family no more. Such is the comparative state of England and France; and what is the inference we ought to draw with respect to the present case? If the prosecution be indeed intended to avert from this country the horrors of that anarchy, under which France at present labours; if it be intended to secure the continuance of those blessings which it enjoys under its admirable Constitution, let not the prisoner suffer from the execution of barbarous laws barbarously enforced, or from the well-meaning enthusiasm of those, who, sincerely attached to the constitution, are desirous to ensure its preservation at any price. It is necessary that you, Gentlemen of the Jury, should guard against a source of delusion and injustice; it is necessary that in the decision which you are called to give, you should stand on the strict and unequivocal letter of the law. It would

not

not be enough that the prisoner should appear to you to have been rash, foolish, or even wicked—the last of which it would be impossible to support by any colour of evidence—for, I trust, I shall be able to vindicate his conduct, which, in the present instance, is of little consequence. It must be proved, to your satisfaction, that he has offended against that statute under which he is indicted. He holds his life from the law, and by it he demands to be tried. This fair trial I ask; first, from the Court—I ask it more emphatically from the Jury—but, lastly, and chiefly, I implore it of him, in whose hands are all the issues of life, at whose command nations rise and fall, and are regenerated. I implore it of God himself, that he will fill your minds with the spirit of justice, and of truth, that you may be able to find your way through the labyrinth of matter laid before you; a labyrinth in which no man's life was ever before involved in the whole history of British trial, nor indeed the universal annals of human justice or injustice."

Mr. Erskine then proceeded to the indictment, which is given already, and then to show the law of the land on charges of High Treason, for which purpose he made some excellent quotations from Lord Chief Justice Hale, Judge Forster, Lord Coke, &c. Also from Lord Mansfield's charge to the Jury on the trial of Lord George Gordon—as follows:

"The prisoner at the bar is indicted for that species of High Treason, which is called levying war against the King, and therefore it is necessary you should first be informed what is in law a levying war against the King, so as to constitute the crime of High Treason, within the statute of

Edward III. and perhaps according to the legal signification of the term before that statute. There were two kinds of levying war : one against the person of the King, to imprison, to dethrone, or to kill him, or to make him change measures, or remove Counsellors.---the other, which is said to be levied against the Majesty of the King, or, in other words, against him in his regal capacity. In the present case, it does not rest upon an implication that they hoped by opposition to a law to get it repealed, but the prosecution proceeds upon the direct ground, that the object was, by force and violence, to compel the legislature to repeal a law; and therefore, without any doubt I tell you the joint opinion of us all, that, if this multitude assembled with intent, by acts of force and violence, to compel the legislature to repeal a law, it is High Treason.

“ Such were the words of the venerable Earl of Mansfield on that trial. Now he would take the liberty, as the Attorney General had alluded to it, of quoting his own words upon the same trial. This was the sentence alluded to by the Attorney General :

“ *To encompass or imagine the death of the King,* such imagination, or purpose of the mind, visible only to its great author, being manifested by some open act ; an institution obviously directed, not only to the security of his natural person, but to the stability of the government ; the life of the Prince being so interwoven with the Constitution of the State, that an attempt to destroy the one, is justly held to be a rebellious conspiracy against the other.

“ This was true, the destruction of the King led to the destruction of the State ; but did the converse

verse of this doctrine follow of course, as the Attorney General seemed to insist upon? That to compass or intend any alteration in the other branches of the legislature, was compassing the King's death. The charge of compassing or imagining the death of the King, was the inference of reason from overt acts; but did it ever enter into the mind of man, that the intention was matter of law? Certainly not; for it was a fact to be determined by a Jury, and by them only; it was the inference of their reason from the facts, and not the inference of law.

“ The Duke of Richmond was a man of great fortune, of the highest rank, and it was not to be imagined, that by contending for Universal Suffrage and Annual Election, he meant to subvert the Government, and strip himself of his own honours. The Duke of Richmond was not only a man of high rank but well known to be a man of extensive reading and deep reflection. The plan he proposed, as the only adequate plan for the Reform of Parliament, was not the offspring of rashness or folly, but of information and reflection. The Duke of Richmond said what he (Mr. Erskine) should be ready, on all occasions, to say—and he cared not how many of such miserable spies as had been brought forward to give evidence on this trial, were present to take down his words; or, as was more commonly their practice, to report what they thought fit to understand by his words, without taking them down—that if the Representation of the People in Parliament was not reformed, if the abuses that had crept into it were not corrected, abuse accumulating upon abuse, must inevitably lead to a Revolution. The Duke of Richmond published his plan in 1782. The

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plan was addressed to Colonel Sharman, and proposed appointing Delegates by Assemblies of the People, no matter whether styled Constitutional or Corresponding, or any other Societies, to meet in a General Convention. The terms, Delegates and Convention, were, therefore, no new inventions, no imitations of a French model, but the natural growth of our own soil. When the Convention met at Edinburgh, although many imprudent speeches were made in it, speeches which he had no inclination, and which the defence of his client certainly did not call upon him to justify, the declared intention of those who composed it, was to obtain, what they, following high and unsuspected authorities, were taught to believe the unalienable Right of the People. A free and fair Representation in the Commons House of Parliament, was the unalienable Right of the People. He did mean to state this as a right to be recognized in a Court of Justice, in opposition to positive law, by which Courts of Justice could alone be guided, but as a right not of new imagination, sanctioned by the most unimpeachable authorities, and in prosecuting which, by legal means, no man incurred either guilt or censure. On this right was founded the right of his Majesty to the Throne, as he himself had maintained in Parliament, in opposition to the then newly adopted tenets of Mr. Burke. "Of Mr. Burke," said Mr. Erskine, "I speak not to blame. I allude not to his change of political opinion as a fault; that change, I think, is to be liberally interpreted. I speak not here to blame any man. I speak to recommend charity among men, for the opinions of one another, to conciliate all hearts in favour of our common country, and by a fair, clear, and unprejudiced

prejudiced application of the Laws of that Country, to induce all to pursue the common interest, unterrified by armed Associations on the one hand, or Courts of Justice on the other." The Counsel for the prosecution must prove the intention charged in the indictment, and that satisfactorily; not by proof of surmise and conjecture. To illustrate this, he quoted a passage in Chief Justice Eyre's charge to the Grand Jury. He next quoted a passage from Holt, importing, that forced or strained constructions are not to be put upon mens words or actions; but that the intention of them is to be tried and made out by clear and palpable evidence. Now let the intentions of the prisoner, and his associates, be tried by this criterion. Were they the first to take up the doctrines now charged upon them as proofs of a treasonable purpose?

"The first witness from Sheffield said, that he acted upon these doctrines as the Duke of Richmond had done, whom he never imagined to have any intention of subverting the Government, or compassing the death of the King. He did not mean to say, that one man's having committed a crime with impunity, would justify another in committing a like offence; but that if one man had circulated particular opinions, without ever being accused, or even suspected of evil intention, the circulation of the same opinions by other men, was not to be held as evidence of evil intention. To whom did the Duke of Richmond transmit and recommend his plan? To Societies provided with half a dozen pikes? No; to Colonel Sharman, at the head of 10,000 men, armed and in military array---to men not commissioned by the King---to the Volunteers of Ireland, to whose exertions it was owing that his Majesty now enjoyed the Crown of Ireland. These men, so armed and
arrayed,

arrayed, held a Convention, not secretly, but in the face of the day. By the authority of the King? No. By the authority of the Lord Lieutenant? No. By the authority of circular letters; and so far was this from being stigmatized as Treason, that their demands were complied with---wisely and properly complied with---for to grant the people their rights, was the surest way to harmonize their minds, and to attach their affections to the Government. Of all the witnesses called on the part of the prosecution, was there a man, except the Spies, who said that their intention was any other than a Reform of Parliament, by legal and constitutional means? If the spies were not to be believed, in contradiction to all the other witnesses, the Court and the Jury were mis-spending their time; they might close the proceedings at once, and go home. All but the spies said, that they would have renounced the Societies with indignation, if they had believed there was any intention of deposing or killing the King. How could the poor prisoner at the bar hate the King, from whom it was impossible he could ever have received an injury? Was not the character of his Majesty such as to conciliate the love and affection of his subjects? Did he not confide so much in that affection as daily to ride abroad among them, without the parade of guards or attendants? Where, then, was the ground of this black suspicion, as unworthy of the King, as unmerited by his people? The minds of the men, who composed those obnoxious Societies, were irritated into intemperance by the representation of those who were now his Majesty's Ministers, of the abuses flowing from the decay of representation, and the consequent corruption of Parliament; and, if the prisoner at the bar should be hanged,

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while the Duke of Richmond was called to a seat in the Cabinet, he should say,

“ ——— Plate fin with gold,

“ And the strong lance of Justice hurtless breaks;

“ Arm it in rags, a pigmy straw doth pierce it.”

“ The Counsel for the prosecution contended, that, to attack the Parliament was to attack the King, because the King was an essential part of Parliament. By no means.—Who, in talking of Parliament, in common acceptance, was supposed to mean the King? When those Societies attacked what they thought the abuses of Parliament, they meant what those who went before them had meant—the abuses in the representation, which might all be corrected without trenching in the least on the natural or political existence of the King. But, it was said, they talked of reforming Parliament by exciting the people. Mr. Burke had said before them, that no remedy for the distemper of Parliament could be expected to be begun in Parliament; and that the people must be excited to meet in counties and in corporations, and make out, if they could, lists of those who voted, and on what side; in short, that, to obtain any correction of the abuses in the House of Commons, the impulse must come from the people. After a petition for Reform, in 1780, had been rejected, the Duke of Richmond wrote in a manner much stronger than those who were now accused of conspiring to lay hold of the Parliament by violence. He wrote, that the less Reform had been tried and failed; that not one profelyte had been gained; that the weight of corruption was such as to bear down every thing; that he had no hopes of Reform from the House of Commons; that

that Reform must come from the people themselves, and that they ought to meet more numerous than ever, to claim their undeniable rights, universal suffrage, and annual elections. How were the people to assert these rights after Parliament had refused to grant them? In this manner, the persons now under prosecution had done, and professed to do---not by rebellion, but by collecting and bringing before Parliament, the weight and influence of collective opinion. It was said, that this war against the State had amounted to rebellion---The assertion was unfounded---What was the State? The State was the body of the people, with their Sovereign at their head; nothing was rebellion that had not for its object the destruction or enslaving of the people and their Sovereign so connected, and, he trusted, he should never hear again that the people all meeting, must mean to depose the King---that the King stood only supported by the few who called themselves the King's friends, and branded all others with the name of Democrats, or Jacobins, or whatever else was the nick-name of the day. It was clear, from the beginning to the end, that the Societies with which the prisoner was connected, spoke only of the representation in the House of Commons; and he would maintain, as they did, that they had a right to do so; and he knew that if the people were so met, they would be for the continuance of the Crown. It was their inheritance---what a dangerous principle it would be for to lay down, that if the people were collected together, the necessary consequence must be the destruction of the King? The King's protection stood on the love of the people collectively, not on the adherence of this or that description of men, and to say otherwise

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was a libel on both King and people. He was sorry to hear any man called a traitor for talking of the Rights of Man. The Duke of Richmond had long since said that they were the foundation of all legitimate government; because men professing, but abusing the same sentiments, had destroyed every thing in France, it ought not to be fastened upon the prisoner, that he, professing to claim the Rights of Man, meant also to destroy every thing in England. Before going into the Duke of Richmond's definition of the Rights of Man, he would mention one more in his recollection, because it arose out of a discussion in which it was his fortune to bear a part. In the debates upon the memorable India Bill, one of the most popular topics of declamation against it was, its being an attack upon the chartered Rights of Men; Mr. Burke took fire at the expression. He said he did not know what was meant by the chartered Rights of Men. He feared there was something in this more than was indicated by the affectation of the phrase: for what end, but the end of the moment, was the word *chartered* introduced? For the Rights of Mankind were founded in nature, and needed no charter to give them sanction. Chartered Rights he had always understood to be matter of compact; and to be forfeited by breach of compact; but the natural Rights of Man were sacred, and could neither be lawfully forfeited nor infringed. Let those who call themselves champions of the authority of the Crown, take care that they do not pull down what they profess to support. Let them beware of weakening his Majesty's Rights, by the very means they adopted to confirm them. The ancient Kings of this country abused their government by cruel and infamous

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trials, by more cruel and infamous punishment, by packing Juries, by arbitrary imprisonments, by scandalous abuse of law, by depriving the people of arms; thus not only their government, but their persons became odious; they dreaded to assemble the people; and when King William issued his writs, calling the people to meet, they did not meet; but had they met, the general consent of the people would have been given to his accession. He recognized their rights under a law which all knew and all revered---the Bill of Rights---Rights which they always had; and here began the mischief, in consequence of which this Court is now sitting. The denial of that proposition brought Mr. Paine into this country. But, for this denial, Mr. Paine never would have been an author amongst us. Why came Mr. Paine here as an author? To answer Mr. Burke, who denied the King's right to the Throne by denying the right of the people to alter the succession? The French had pulled down a system of corruption and tyranny, so enfeebled by its own inherent defects, that it was ready to fall of its own accord. Mr. Burke denied their right to do this. Mr. Paine wrote an answer, and, as a Republican, threw in much stuff about Monarchy, which had nothing to do with the main question. The first part of the Rights of Man was applicable only to France. But a book, called an Appeal from the New to the Old Whigs, applied it to the government of this country. Mr. Paine arrived, and notwithstanding his first intentions, this attack exasperated his spirit, and he wrote a Second Part to his Rights of Man, in which he vindicated the rights of the people in this, or any other country, to change their government.

Mr.

Mr. Erskine said, he would vindicate, in presence of as many spies as could be collected, the Right of the People, to oppose despotic power, and to change the form of their government, when that form was radically and essentially bad. He had opposed, and would always oppose, the Right of Despots to prevent any people from forming a government for themselves, of the sweet or bitter fruits of which they themselves must eat. If the people of France were to say to the people of England, "You shall have a Republican form of Government," the people of England would say, "No; we have already chosen our form of Government, a mixed-form, a limited Monarchy, which we approve; and if we did not, we would receive a form of Government from no power on earth but our own." The people of England have a right to change their Government if they please; they will not, if you use them well; but it is to the denial of this principle all the calamities of these trials are to be imputed.

Mr. Erskine having quoted the opinion of Locke from his *Treatise on Government*, which was written in answer to the Jacobites, who denied the right of King William to the Throne; proceeded to recapitulate the evidence, observing, that he had been obliged to omit many and important topics of general defence, in order to apply his attention to disembroiling the chaos which he had no time to consider but by the indulgence given him by the Court and the Jury. The original Address of the Corresponding Society they would not have published, had they thought it criminal. They not only published it, but they sent it as a circular letter by post, addressed to various persons, and even a copy to the Secretary of State.

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On the tremendous evidence adduced in this trial, he observed that a song, found among Hardy's papers, had been produced against him, without the shadow of proof that it had been written, published, or even approved by him. He had received it, as many things were received by men of all descriptions in this town, without knowing whence it came. It had been perhaps dropped down his area. If such evidence were held sufficient to affect a man's life, he (Mr. Erskine), who received and read papers of all sorts, had probably now, in his house, evidence sufficient to hang him and his whole family. The Address of the Society was founded on the Duke of Richmond's letter to Colonel Sharman, containing a plan, upon which men of high rank sat as Delegates in the city of London, with Aldermen of the city of London. A little time before the Convention met at Edinburgh, a Convention of Delegates from the counties of Scotland met, of which the Chief Baron of his Majesty's Exchequer in Scotland was Chairman, and the Lord Advocate, the Dean of Faculty, and Sir Thomas Dundas, now Lord Dundas, sat as members. An application had been previously made to Parliament, for a Reform in the mode of electing members for the counties, and rejected. What did this meeting of Delegates, according to their own advertisement? They met for the purpose of altering and amending the law; they agreed upon certain heads, and resolved to send them, where? To Parliament?---No; but to the several counties in Scotland to collect opinions and signatures. Was this meeting called treasonable?---No; it would have been called scandalous to impute treasonable motives to any man who attended it. The object of the Corresponding Society,

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ciety, on the first piece of evidence, viz. their own Address, was Reform of Parliament, by legal means. Would the Jury impute to his Client, against whom not a contumelious word respecting Government had been proved, the shocking crime of Treason for supporting a measure, sanctioned by so many and so recent authorities? Let them read the lines prefixed to the Address of the Corresponding Society, and see if they could find any thing in their subsequent proceedings to match them; which were written by Thomson, under the roof of Lord Littleton, under the protection of the Prince of Wales, who perhaps thought that the Rights of the People were the surest guarantee of his own Rights.---By a man who had studied and understood the British Constitution, who venerated liberty but loved order---by a man whose works had been the delight of a nation, and to whose memory a monument was now erecting. If the objects of the Societies were treasonable, then every man, who had been a member of any one of them, was guilty of Treason, and he held his life as tenant at will of the Attorney General. Of the Convention, either held or proposed, the Attorney General imputed the whole original sin to the London Corresponding Society. The contrary, however, was the fact. A Convention of Delegates from the Scot's counties had been held as above mentioned at Edinburgh; and the Societies in Scotland, on the usual principle of national vanity, resolved to imitate the example. They agreed on a Convention of their own, and invited the London Societies to send Delegates to it. Some of them sent Delegates, whose instructions were that they should concur in all Constitutional acts for a reform in the representation of the people.

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Every man was bound by the acts of his agent within the limits of his agency; but if an agent, sent to buy horses, should think fit to steal horses or commit treason, his employer would be amenable neither for the Felony nor the Treason. By the same rule, no acts concurred in by those Delegates which were not within the letter of their instructions, could affect the Societies by which they were sent. Mr. Erskine arranged, and commented upon the whole of the evidence in a masterly manner, illustrating every objection he took to it by the most apposite and pointed remarks. He warned the Jury against giving their sanction to constructive Treasons, and repeated Dr. Johnson's remark on the acquittal of Lord George Gordon—"I hate Lord George Gordon; but I am glad he is acquitted, because I love my country and love myself." He remarked with particular severity on the attempt to implicate Hardy in the charge of providing arms, on no better evidence then because a man at Sheffield had written a letter to him, offering to make pikes, and desiring him to forward another letter of the same tenour to Norwich; although it clearly appeared that Hardy had never read the letter addressed to himself to any body, nor forwarded the letter to Norwich; and on the still more atrocious attempt to implicate him in the business of Watt at Edinburgh, from the mere circumstance of Watt's having written a letter on the subject to Hardy, with whom he had never corresponded before, and from whom he had received no answer to his letter. If such evidence were to be tolerated, the most innocent, the most meritorious man living might be stript of his fortune, reputation and life, by any ruffian who chose to address a treasonable letter

letter to him, and get it conveyed into his house. If the witnesses for the Crown, not spies by profession, were worthy of credit, then the prisoner was innocent--if they were not, then the testimony of the spies, admitted on all hands to be insufficient of itself, was left totally destitute of support. One or other side of the alternative must be taken. It was impossible to say that the witnesses for the Crown were to be believed where their testimony made against the prisoner, and disbelieved where it made for him. If the testimony of the spies could be supported by other witnesses, whose evidence would not prove at the same time that the prisoner never harboured the treasonable intention imputed to him, why were they not produced?--For this reason only, that out of more than 40,000 members of the several societies, not one could be found. On the character of spies, having no eloquence of his own, he would avail himself of the eloquence of a writer who had much (Mr. Burke).

"A mercenary informer knows no distinction. Under such a system, the obnoxious people are slaves, not only to the Government, but they live at the mercy of every individual; they are at once the slaves of the whole community, and of every part of it; and the worst and most unmerciful men are those on whose goodness they most depend.

"In this situation, men not only shrink from the frowns of a stern magistrate; but are obliged to fly from their very species. The seeds of destruction are sown in civil intercourse and in social habitudes. The blood of wholesome kindred is infected.---Their tables and beds are surrounded with snares. All the means given by Providence to make life safe and comfortable, are perverted
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into instruments of terror and torment. This species of universal subserviency, that makes the very servant who waits behind your chair the arbiter of your life and fortune, has such a tendency to degrade and abase mankind, and to deprive them of that assured and liberal state of mind which alone can make us what we ought to be, that I vow to God I would sooner bring myself to put a man to immediate death for opinions I disliked, and so to get rid of the man and his opinions at once, than to fret him with a feverish being, tainted with the gaol-distemper of a contagious servitude, to keep him above ground, an animated mass of putrefaction, corrupted himself, and corrupting all about him."

"My whole argument, therefore, says Mr. Erskine, asserts no more than this, That before the crime of compassing the King's death can be found by you, the Jury, whose province it is to judge of its existence---it must be believed by you to have existed in point of fact.

"My wish and my recommendation is not to conjure up a spirit among us to destroy ourselves, by bringing on the tyranny of a French Tribunal, where an accusation is enough to bring its object to the guillotine. Let us keep to the old and venerable rules and laws of our forefathers; and let a Jury of the country feel the duty they owe to the public, to themselves, to posterity, and to God, to preserve by law the life of a man who only asks it of them on the terms they would, in their turn ask their own. I shall now conclude with a fervent wish and a fond hope, that it may please God, who guides the world, moulds governments at his will, and who governs us all in justice and in mercy; from whose care and bounty has arisen
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the prosperity and glory of this happy island, to enlighten and direct your minds! To your care, I now commit my client, without fear, being confident that you will do him justice.

Mr. Erskine called several witnesses, who proved the general character of the prisoner was perfectly harmless and honest, particularly Lormand Goddard, Francis Dowling, Alexander Fraser, William Barkley, David Martin, Edward Oakes, &c. &c. His Grace of Richmond acknowledged a letter which he addressed to Colonel Sharman.---Richard Brinsley Sheridan, Esq. and Mr. Francis were also witnesses for the prisoner. Lord Lauderdale being examined, said, he had received a letter from the Society of the Friends of the People in the suburbs of Edinburgh, requesting him to become a delegate to the Scotch Convention; he accepted the offer, and heard nothing among them injurious to the Crown or the House of Lords; their language was, to acquire, by peaceable means, a thorough Reform in Parliament.

The evidence on both sides being closed, Mr. Gibbs rose, and made a very able defence for the prisoner. In the course of which he referred to the evidence of Mr. Sheridan and Mr. Francis, as proof that the prisoner could have no evil intention. To Mr. Sheridan he had offered the inspection of all his papers, without reserve. Mr. Francis he had asked to present a petition to the House of Commons, praying for Universal Suffrage and Annual Election; reasoned upon the subject, and professed his adherence to the Duke of Richmond's principles. On being told that it was informal in a petition, complaining of a grievance, to insist upon a specific remedy, he professed

his readiness to adopt any form, but still maintained that Universal Suffrage and Annual Elections was the only adequate remedy. Surely this was the conduct of a man, who, however erroneous he might be in his opinions, was himself sincere in the belief that they were well founded. The Counsel for the Crown wished the Jury to believe, that all this was only pretext, on the part of the prisoner, to cover treasonable designs. Let the Jury examine, how this stood. The prisoner, and those with whom he acted, thought the representation of the people defective, and the House of Commons in consequence corrupt. They were persuaded also, that a majority of the people held the same opinion---he did not say so, but they thought so; and, therefore, wished to appoint a meeting of Delegates, by which they might ascertain, beyond dispute, that this was the opinion of the people, and concert the means of giving it effect. What said the Duke of Richmond? That all attempts to obtain reform from the Parliament itself, with every incidental help and advantage, were overborne by the corruption of Parliament; that not a single proselyte had been gained from corruption; and that the only remaining hope of reform was from the people. What was the remedy he expected to come from the people, for this corruption of Parliament? Universal Suffrage and Annual Elections. Now it was objected to the prisoner, that his own complaint of the corruption of Parliament, was all a pretext. What colour was there for this, when twenty witnesses had deposed, and almost any number might have been produced, that both he and they adopted the opinion of the Duke of Richmond? The prisoner thought a Convention of Delegates the best mode

mode of obtaining a reform. The Duke of Richmond published, that he expected no reform but from the people at large. When the Duke of Richmond said this, How was a plain man, like the prisoner, to understand it? The fair construction was, that he thought the collected sense of the people at large, communicated to Parliament, would not be disregarded, as the petitions of comparative small bodies had been, and that thus, by constitutional means, the reform he thought necessary would be effected. If this, which was the probable interpretation of his views, were but barely possible, surely, the Jury would prefer the harsher to the more lenient construction.

“It was a maxim of law, that in all doubtful cases they were to incline to innocence, and that acts of themselves indifferent, were in every case to be taken in the most favourable sense.

“He also remarked, if he had been a man of dissolute life, his rushing hastily into any scene of guilt, might not have been improbable. But such a character had been given of him, as, of any man in his station of life, had never been given in any court of justice. Friends, neighbours, employers, the clergyman of whose congregation he was one, all concurred in declaring him religious, sober, industrious, mild in his temper, exemplary in his general conduct, and worthy of any trust. The clergyman said, that he had conversed intimately with him upon political subjects, for the express purpose of discovering his real intentions, and was persuaded that they were what he professed them to be. Many of the witnesses to his character, did not belong to the same Societies, nor entertain the same political sentiments; yet they all concurred in stating his character to be irreproachable,

able, and some of them had known him for twenty years. This was one of the cases in which character ought more particularly to avail, for the Jury were to try and pronounce upon the act of the prisoner's mind; and unless they were convinced that he meant to overturn the Government, as the means of affecting the death of the King, they must acquit him."

Chief Justice Eyre then said,---"Prisoner, you applied to the Court for counsel, and counsel were assigned you. They have now concluded what they have to say in your defence. You are at full liberty to offer a defence for yourself. If you have any thing to say, this is the proper time."

The prisoner then made the following reply,---"I am perfectly satisfied with the defence my Counsel have made for me, and wish to add nothing to it."

The Solicitor General now made his observations, and here it may be proper to remark, at the close of the prosecution, that no men ever conducted themselves with more mildness and humanity, than the Counsel for the Crown. Mr. Attorney General was manly and dispassionate, firm and humane. Mr. Solicitor was so visibly affected, that he concluded quite suffused in tears,

Lord Chief Justice summoned up the evidence in a very able and impartial manner, and then left the gentlemen of the Jury to consider their verdict.

The Jury, before withdrawing, asked for a copy of the indictment.

Chief Justice Eyre---I see no objection to letting you have a copy of the indictment, although it is not quite regular, provided it be done by the consent of the parties.

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No objection was made, and a copy of the indictment was handed to the Jury.

Chief Justice Eyre—Gentlemen of the Jury, it is proper to inform you, that after you withdraw, you can be allowed no refreshment. If you wish for any refreshment, now is the time to take it.

The Jury—My Lord, we thank you, but we shall have occasion for no refreshment.

At half an hour past twelve o'clock, the Jury withdrew; and at half past three, returned a verdict of—NOT GUILTY.

The Lord President then thanked the Jury for their diligent attendance on so long and arduous a trial; and gave directions that the prisoner be immediately discharged.

Mr. Hardy then thanked the Jury for the verdict they had given, both on behalf of himself, and of all his fellow-subjects.

The populace, who, notwithstanding the wetness of the day, filled the streets adjacent to the Court House, received the news of his acquittal with the loudest acclamations of joy. And after he was discharged, they followed the coach, which conveyed him to his lodgings, and taking the horses from it, drew him to different parts of the town.

The remarkable Trial of JOHN HORNE TOOKE,
for High Treason.

ON the 17th of November, 1794, came on the Trial of Mr. John Horne Tooke. When at the bar, Mr. Tooke said, it was necessary for the purposes of his defence that he should quit the situation in which he stood, and to be near the

the Counsel which the Court had assigned to him for the conduct of his defence.

The Chief Justice said that it was an indulgence he hardly ever knew given to any person in his situation.

Mr. Tooke knew it was an unusual application, but as it was impossible for his Counsel to know several particular facts, if he had not the opportunity of instructing them every moment; he, therefore, looked upon it as his right and no indulgence. If they allowed him to stand by his Counsel, he might have some chance of making his defence; but if they kept him at that bar for nine hours, as was the case of the person who stood there last, there would be no occasion for any verdict, for that of itself would be as effectual as any sentence of death that could be pronounced against him. It should be recollected also, that he came out of a place of very close custody, part of which had been attended with degrading and humiliating circumstances, and some of them inhuman ones, where he had wasted his health during a sultry season; many returns of the year he could not expect in the course of nature, if he were discharged now; but if ordered to remain where he stood now, he could not expect to survive the present trial. He might, perhaps, be able to afford his Counsel such means for making his defence as would materially shorten the trial, if the Court granted the means, by granting what he now asked.

The Chief Justice observed, that the prisoner had what the law regarded as necessary means to enable him to make his defence. He had had Counsel assigned him; they had had, or might have had, access to him at all seasonable hours; that

that was what the law allowed him. He had taught the Court not to use the word indulgence, and he had taught them too, that in their duty they were not to give him any indulgence; now his Lordship said, that he was apprehensive, that to grant this application would be an extraordinary indulgence, because it was a thing that was not done to any other prisoner, who had the same stake that he had, or any other person who came to that bar, and therefore, on that score, the Court would not be permitted to comply with this request; they could not, in that view, do it, without being guilty of injustice to others; it was evident, therefore, that the Court would not grant what the prisoner asked, on the ground on which he asked it; but he had stated another, which, although he grounded no motion on it, yet was in itself extremely material, and would warrant the Court in doing that which the prisoner thought they ought not to do, namely, to grant him an indulgence; he had stated the condition of his health to be such, that he must suffer much if he was ordered to remain where he stood; the Court would not put his life in any danger on account of the place on which he stood, nor his defence to any difficulty that could be avoided by the Court; they wished him to make his defence in the best manner imaginable; if this was likely to disentangle the prisoner out of any difficulty which he felt, his Lordship said, he would put it to the Judges, whether the prisoner might not be INDULGED, as he asked.

Mr. Tooke said, that on the footing of indulgence, he thought he had explained himself already; but if the Court should refuse it under the title which the Chief Justice was pleased to give it,

it, they would hear his argument on the point of law in this case.

The Chief Justice said, that the prisoner should state the whole of what he had to say on this subject now; and before the Court deliberated, if he wished to argue any point of law, the Court would hear him.

Mr. Tooke said, that, if he understood there was any objection on the part of the Bench to what he asked, he should be ready to argue the point, and should desire to argue it; it was a point on which the principle of the law was clear; he begged leave to say, that although in his own mind he excluded the idea of any indulgence, and applied the part of the score of health, yet he was confident, that upon either he had a right to argue in favour of the application which he now made; but understanding, from appearance, that the Court was willing to grant the object of it, he did not think it necessary to cavil on a word: he had in substance what he asked, he should therefore say no more upon this matter, only begging it to be understood, that he did not mean to change his ground.

The Judges having consulted for half a minute—The Chief Justice informed the prisoner, that the Judges present felt themselves extremely disposed to indulge the prisoner on the score of his health. Mr. Tooke thanked his Lordship for that *on account of his health*, and accordingly took his place near his counsel. Much debate took place respecting the Jury—when complete, Mr. Percival opened the pleadings, which were precisely the same as those in the preceding trial. The Solicitor then made his remarks on the crime of High Treason.

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“He would, he said, attribute to the prisoner having engaged in a conspiracy to effect a change in the Sovereign Power, the King, Lords, and Commons in Parliament assembled. He would attribute to him, for the purpose of accomplishing the conspiracy, that he not only quarrelled with the administration and the frame of Government, but the principles of the constitution; and his objections were radical and entire. He would shew, in the course of evidence, that the prisoner conceived no Government good, but such as in principle was founded on the Rights of Man; and that it was the duty of every man to destroy that Government, which differed from one so formed. To shew the opinion of the prisoner and others of the Government, he read extracts from a book written by Mr. Joel Barlow. He then adverted to the various societies throughout England: particularly, the Constitutional and London Corresponding Societies.”

The remainder of the Solicitor General's speech was a history of the minutes of the proceedings of these two Societies down to May last, upon the seizure of their papers, together with Mr. Hardy, Secretary to the Corresponding Society, and Adams (since become an evidence) Secretary to the Constitutional Society, the particulars of which have been already mentioned in Mr. Hardy's Trial.

Afterwards the Solicitor General entered into a minute detail of the two Societies down to the seizure of the State Prisoners. Of the proceedings, likewise, of the British Convention, he detailed the leading features. In the midst of these he was interrupted, by

Mr. Horne Tooke, who, apologizing to the

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Court, declared, he wished but to save their time and his own, for which he was anxious not to misunderstand the Learned Counsel. He understood him to say, that all these facts he meant to bring home to him, the prisoner, personally; for if he did not, his observations would go for nothing.

The Court agreed in this sentiment.

The Solicitor General observed, he meant to prove the prisoner was in the chair when certain Resolutions were adopted. He then proceeded in his detail and comments on the proceedings of the two Societies down to May last.

Thomas Maclane proved the seizure of the books and papers of Adams, on the 12th of May, and said the book shewn was one. Mr. W. Woodfall believed the part shewn to be the hand-writing of Mr. Tooke.

Daniel Adams, Secretary to the Constitutional Society, was called to prove the books, &c. He said he had been Secretary for ten years past. The entries were regularly made in a book; names were frequently in the book, though the persons were not present, because their names were entered at the time they came into the room, although perhaps they did not stay. They frequently dined together, and many members left the place after dinner; by that means their names were entered, though not actually present. He entered the proceedings from minutes handed by different people. It sometimes happened, that when a person was in the chair, after he had left it, that another was placed in it, without its being noticed in the minutes.

He was cross-examined and re-cross-examined by Mr. Tooke.

John Thompson was called to prove, that he found

found in the prisoner's possession the resolutions from the Manchester Constitutional Society, with letters from Mr. Cooper, respecting the proposed abridgment of the Rights of Man, all addressed to Mr. Tooke.

On Mr. Tooke remonstrating against this kind of evidence, the Court said, that a great number of papers may be found in possession of a man in the shape of letters directed to him; but, that, unless they lead to answers given by the person to whom they were so directed, they would not operate against him.

Mr. Tooke said, he never answered any letters; and if what was directed to him was to appear in evidence against him, there might be found among his papers a letter from a man deranged in his senses, which would subject him to a prosecution for blasphemy, as it ran thus, "Verily, verily, I say unto you, that I am God the Father, God the Son, and God the Holy Ghost."

The Chief Justice told the prisoner, if he would argue against the strength of all the other evidence, as he did against this, he had nothing to fear from the present trial.

A variety of papers were read, which were produced in Court on the trial of Mr. Hardy; also several others: particularly a circular letter in the hand-writing of Mr. Tooke, and signed by him to all the Members of the Constitutional Society.

Several who were witnesses for the Crown on Mr. Hardy's Trial, were likewise evidence for the same on the present occasion.

A Mr. Hull, a member of the Constitutional Society was called on the part of the Crown, but he did not remember a single circumstance that was asked, of course he was quickly dismissed.

After one or two more papers were put in by the counsel for the Crown, the Solicitor General acquainted the Court, that the evidence in support of the prosecution was closed.

Mr. Erskine commenced by a brief recapitulation of the occurrences on Hardy's trial; when he had contended against the united efforts of the most eminent gentlemen at the bar, who had been retained on the part of the Crown. He rejoiced in the success which had marked his exertions in that trial, because he had been instrumental in the acquittal of an obscure and innocent individual. The emotions which he then felt were no less sincere than impressive; but if there was a deficiency of talent on his part, it was his lot to have been very ably supported by his learned and ingenious friend, Mr. Gibbs.

In explanation of the law of treason Mr. Erskine referred to the same authorities of Hale and Foster as he did on the trial of Mr. Hardy. He then endeavoured to explain the difference of opinion between him and the Attorney General, on the construction of the law. The Attorney General confessed, that to constitute the crime of high treason, it was necessary that the guilt should exist in the mind, and the evidence he adduced was meant to prove this intent by the overt acts, disclaiming any recourse to constructive accumulation, or any other kind of treason.

The charge against the prisoner was by overt acts, attempting to overthrow the King's Government by force, and thus conspiring his death. But before they could convict him of such offence they must be satisfied that force was to have been employed. Upon this point he cited the authority of Hale—that, when a man conspires the death

death of the King or his imprisonment, to gather company, or send letters in execution thereof, is an overt act of high treason: But the over act itself was not high treason. It could go no farther than to prove the treasonable intention.

In the present case, the Attorney General had done all that he was entitled to do, and could prove no more than what was already before the Jury; yet there was not the slightest evidence of any design being formed against the King's person, however the proceedings may be thought to operate against the Government; and upon that ground, he must insist that the proof most completely failed. The Convention at Edinburgh, which was the great ground-work of the charge, was evidently assembled for the purpose of deliberating on the means of reforming the abuses in Government, and the representation of the People in Parliament, without the least intention of accomplishing the object by force.

He was happy, on this occasion, to have that authority, which of all others was most desirable, namely, that of the Lord Chief Justice Eyre himself, in his charge to the Grand Jury, to shew that, whether the proceedings of the societies or the convention led to the death of his Majesty or not, was not a matter of inference but a matter of fact, upon which the Jury was to decide. Nothing in the proceedings or publications of either breathed any such tendency; and the same learned Judge had told them, that no man was justifiable in applying to the language of another any other meaning than that which he professed.

By the statute of 25 Edward III. it was expressly provided, that no matter of implication should go to a jury on a charge of this nature,
but

but that the prisoner must be provably attainted. He would then ask what were the proofs brought in support of this prosecution? Lord Hale said, that such charges should not be made out by inference or stretches of wit; neither would he attempt to defend his client by wit, if he possessed any. Before so grave a bench, and on so solemn an occasion, all appearance of levity would be indecorous, otherwise there was no part of this evidence which was not open to the broadest ridicule. What was become of the humane character of the British law, if the life of a subject was to depend upon evidence too light to pluck a feather from a sparrow's wing; and which would not be admissible in a law-suit respecting 10l.

If the Jury, after hearing him in the present address, should think it necessary to go into any farther evidence, he would prove to them, that Major Cartwright, a gentleman of the first character, talents, and respectability in the kingdom, was its original founder. It had for its object a Parliamentary Reform—an object, for the attainment of which, the society of the Friends of the People was since instituted—an object by which the greatest and best men of the country hoped to prevent unnecessary and ruinous wars; to remedy the abuses in the state; to prevent the increase of taxes, and guard against the profligate expenditure of our money. It was an object which the late Earl of Chatham always had at heart; and which formed a leading feature of his character.

The Duke of Richmond, whose authority in the country was deservedly high, and who was a man not to be suspected of taking up opinions on light or trivial grounds, had not only expressed himself an advocate for a radical Reform in the Representation,

Representation, but published a letter, in which he declares it to be indispensable, and asserts the inherent right of the people to enforce it. These opinions, taken up so deliberately, and so generally circulated with such prodigious effect, that nobleman must, no doubt, still entertain, however inopportune he may think the present moment to be for acting upon them.

He differed much from the noble Duke respecting Universal Suffrage; but there were many who held different sentiments. The noble Duke vindicated the Right of the People, to enforce the principle of Universal Suffrage; and the crown lawyers of the day never brought him to an account for it. Mr. Tooke was an advocate for a Parliamentary Reform upon a much more moderate plan, and yet his blood is called for, while the Duke of Richmond is not thought to have offended.

Mr. Erskine made several very judicious remarks, which, for poignancy and truth, were by the impartial universally felt; nor did he spare the spies whom he lashed with just severity. He was relieved by Mr. Gibbs.—On the fourth day Mr. Tooke began his evidence.

The first witness called was Major Cartwright, who was examined by Mr. Erskine.

The Major said, he had been a member of the Society for Constitutional Information from its first institution. One of the first members was Dr. Jebb, &c. although they had been pleased to consider him as the Father of the Society. The object of that association was, to enlighten the minds of the public with respect to the nature of their just rights, to obtain a radical reform in the House
of

of Commons, and to recover certain rights which they conceived had been lost by the people.

Major Cartwright, after relating what he understood to be the great object of the Constitutional Society, namely, a radical reform in the Commons House of Parliament, said, the society had never, to his knowledge, departed from that original object. He was a member of the society to that hour, and declared, upon his oath, that they had never changed that object. He had known the prisoner at the bar about sixteen years; and his knowledge of him had been very intimate. Mr. Tooke always appeared to him, from the conversations he had with him, to be a steady, firm, and inflexible friend to the reform of the House of Commons. That reform was the plan he then held in his hand (the Duke of Richmond's letter.)

Mr. Fox was then called, who deposed, that he remembered to have seen Mr. Tooke at a meeting at the Thatched House Tavern, he believed, in the year 1785, very soon after Mr. Pitt had brought forward his motion for a reform in Parliament. Upon being asked whether Mr. Horne Tooke supported a motion proposed in that meeting to give thanks to Mr. Pitt, for his conduct with respect to the question of a Parliamentary Reform, he said, that his recollection at this distance of time, went rather to the substance of what had passed at the meetings, than to the mode in which the proceedings were conducted. Mr. Horne Tooke supported the motion approving of the specific plan of Reform brought forward by Mr. Pitt, which some other gentlemen, who were present as well as himself, declined as improper.

Mr. Francis and the Duke of Richmond were next examined.

Mr.

Mr. Tooke observed, that the indictment charged him with an intent to depose the King by force of arms, with divers pamphlets, books, papers, &c. He was therefore of opinion that any book which he had written and acknowledged, was as clear an indication of his mind as any papers produced by others, that got them from some who received them from others. The book he wished to bring forward was one which he wrote in answer to the Duke of Richmond's Letter, printed by Debrett.

Mr. Debrett was called, but did not appear; the Attorney General suggested that the book could not be given in evidence.

Mr. Erskine contended that the prisoner's was a clear proposition, which the Court could not resist without departing from its character for justice and consistency. It was evidence, which he persisted, could not be shut out. It was certainly fair to produce his pamphlet, to rebut what had been said of his being an advocate for the plan urged with so much zeal and ability by the Duke of Richmond. The Chief Justice agreed on the point, that he, who undertakes to make out a proposition for a man, which he does not acknowledge, must make it out clearly. If treason is said to be in his mind, it is considered as an overt act of the manifestation of treason, and of course he has a right to rebut such evidence.

The Right Hon. William Pitt was next examined by Mr. Tooke.

A letter being put into his hand, Mr. Tooke asked him, if that letter was his hand writing? After looking at it, he answered, that it was.

Lord Chief Justice Eyre asked, what the letter was? Mr. Erskine replied, that it related to the importance of the Parliamentary Reform.

The Judge asked, what connection that letter had with this case? Mr. Tooke said, that letter had the same connection with this case, that the Duke of Richmond's letter had with the case of Hardy.

His Lordship observed, that the Duke of Richmond's letter applied to the case of Hardy, because Hardy professed to follow the Duke of Richmond's plan of Reform, opened by Mr. Pitt in the House of Commons, and of which a meeting, according to Mr. Fox's evidence, was called at the Thatched House Tavern, it would have been very proper evidence, because Mr. Tooke attended that meeting, and approved of that plan. If Mr. Tooke could shew that he ever acted on that paper, he might produce it.

Mr. Tooke said, he had never followed any other plan of Parliamentary Reform, than that proposed by the Right Honourable Gentleman; namely, that which was necessary to the independence of Parliament, and the liberties of the people.

Mr. Pitt being asked, by his Lordship, to what description of persons his letter was addressed? he answered, that he could only judge from the contents of the letter, to what description of persons it was directed; and he thought he must have sent it to some person who acted as a chairman to a Westminster Committee. He recollected nothing more about that letter. He said, he recollected a meeting at the Thatched House Tavern, relative to a motion for a Parliamentary Reform, which he had made in the House of Commons, in May 1782. He could not recollect, with certainty, who were present; but, he believed, that Mr. Tooke was present.

Mr.

Mr. Tooke asked, whether he (Mr. Pitt) had not recommended, to endeavour to obtain the sense of the people throughout England, in order to be a foundation for a future application to Parliament? He had no particular recollection of recommending such a measure. So far as he could recollect, it was the general sense of the members to recommend petitions to Parliament, in the next Sessions of Parliament, with a view to reform.

Mr. Tooke hoped that his Lordship would now allow him to read Mr. Pitt's letter.

His Lordship replied, that he was as far as ever from entitling himself to read that letter.

Then your Lordship, I hope, said Mr. Tooke, will let me have it again.—The letter was returned to him.

Mr. Sheridan, the Rev. Mr. Wyvill, Mr. Maxfield, and the Lord Bishop of Gloucester, were also witnesses for the defence.

Mr. Tooke's evidence being closed, Mr. Gibbs addressed the Jury in a very able speech; the Lord Chief Justice then proceeded to his charge, recapitulating the several Addresses to the different Societies, and after a very able and impartial speech, his Lordship proceeded to observe upon the evidence produced on behalf of the prisoner, which he did with the utmost candour and impartiality, leaving no one circumstance untouched which appeared in the least favourable to him; the result of which, together with his observations on the other parts of the case, and how the whole was borne out by the evidence, was solely their important province to decide; and he doubted not but, whatever their verdict might be, it would be satisfactory, according to their consciences; and,

being so, would be to the satisfaction of their country.

The Jury, after conferring for about nine minutes, returned into Court, and gave their verdict—NOT GUILTY.

The verdict was no sooner announced by the Foreman, than it was received by almost every person in Court with acclamations, and shouts of joy and congratulation.

Mr. Tooke endeavoured, several times, to address the Jury, but in vain. As well as he could he made his grateful acknowledgments.

*The remarkable Trial of JOHN THELWALL,
for High Treason.*

MR. THELWALL was called to the bar on the first of December; the Jury being sworn, Mr. Percival, on the part of the prosecution, opened the indictment, and Serjeant Adair afterwards addressed the Jury, having stated the law, on the subject, he entered at large, and in detail upon the evidence, written and parole, as it tends to establish the general fact of a conspiracy to subvert the Constitution, and the individual share that the prisoner had in it. In the course of which he remarked, that whatever might be the issue of the prosecution, no one could deny that there was abundant ground of suspicion for the government of the country, when the conduct of the Society became so equivocal, that common tradesmen and mechanics enquired of them, "whether they meant to rip up Monarchy by the roots, and place Democracy in its stead;" but strong as this ground

ground of suspicion was, it became multiplied in a tenfold degree, when the answer is contemplated, that was returned to that question.

He called their attention very seriously to the design formed of supporting the authority of the Convention by force of arms; and though their preparations were not great, they would probably become so, if not prevented in time. Their exercising privately and in the night, was of itself a proof that they did so for a purpose which they dared not avow. They also manifested a mischievous design, by ordering pikes to be made in Birmingham, in imitation of the method used by the people of France. It was also clear, from the time of making these preparations, that it was meant by these means to arm and support the intended Convention. It was no defence to say, that they only designed to defend themselves against violence. For by whom was that violence to be used? By the Government, evidently, which they intended to resist.

He omitted to detail what the parole testimony would be; but, when it was before them, they would, he believed, find that it fully corroborated the written evidence. They would have next to consider, whether the prisoner was included in these charges. He was an active member of the London Corresponding Society; and, in a great measure, the founder of an inferior Society in the Borough of Southwark. He trusted, that he should not be accused of acting unfairly to Mr. Thelwall, if he introduced him to the Jury by the character which he gave himself.

For this purpose, he read a letter of the 13th of January 1793, found in his pocket, and directed to a person, supposed to be in America. In
this

this letter, he justifies himself from the charge of deserting the cause of Liberty, avows himself to be a true Republican, a Sans Culottes, &c. &c. but he also arraigns the ferocious and sanguinary proceedings in France. He also says, that he endeavoured to restore a political Debating Society in the Borough, and the Magistrates sent a number of people to cry "God save great Jolter-head," as also many other particulars.

Such was the representation made by the prisoner of himself, and the learned Serjeant commented on the various passages.

In a letter which Mr. Thelwall wrote to a friend of his at Oakham, in Rutlandshire, he explains his objects, and the danger of his designs. The letter was addressed to Citizen Jack Bell, and was accompanied by many seditious songs, speeches, resolutions, &c. some of which he avowed to be his own, and some by Mr. Horne Tooke, and others. Though so unguarded in his letters, he used more caution in the composition of his lectures; but their general tendency was to make the people dissatisfied with this Government, and its Laws.

Having thus discharged, what he conceived to be his duty, it remained for the Jury to determine on the evidence, in a cause so important to Government, and to the principles of social order. In forming that determination, they must remember, that mercy should always be consistent with that justice which they were sworn to administer. They must distinguish between this case, and that of Mr. Hardy and Mr. Tooke. Hardy was represented as a simple innocent tradesman, the instrument of others; and Mr. Tooke was defended by his known principles, and if Mr. Thelwall had

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had the same defence, he would not call upon them to convict him.

Mr. M'Lean proved the seizure of some papers on the prisoner.

Mr. Adams proved, that the prisoner was a delegate from the London Corresponding Society.

On a paper being offered to be read, which was antecedent to the period Mr. Thelwall became a member, Mr. Erskine suggested, that nothing previous to that should be given in evidence.

The Lord President over-ruled the objection, as the prisoner might have acceded to a conspiracy, formed at a time when he was not a member.

The paper containing some resolutions from Manchester, and others, was then read. This was followed by several other papers.

Mr. Taylor, a surgeon, from Norwich, knew Mr. Thelwall, and became acquainted with him the latter end of 1791. He attended at St. Thomas's Hospital. Thelwall lived in the Borough at the time, and occasionally attended. Thelwall was acquainted with Mr. Cline, and was accustomed to attend some Societies for medical knowledge. He attended political Societies with Thelwall, and was present at the first meeting of the Society at the Three Tunns, in Southwark, but did not recollect the day. He rather thought it was the latter end of January, 1792.

The persons, whom he recollected to have been present were, Messrs. Favell, Russell, Gurney, and Thelwall. About 200 persons were present. Mr. Gurney made a speech of considerable length, in order to prepare the minds of the company for the formation of the Society. He spoke in general terms of the abuses of Government. Thelwall spoke also a few words. Mr. Gurney proposed, that

that the Society should be organized; and moved, there should be an address to the people from the Society.—The address was the same which had been read to the Court. It was understood, that the Society was not connected with the Friends of the People, because they thought the *Outs* only wanted to get *In*. He was at a dinner of the Constitutional Society, at the Crown and Anchor, the latter end of April, 1792. Lord Semple was in the chair. Among the persons present, he recollected Messrs. Horne Tooke, Thelwall, Joyce and Kyd. He recollected some conversation; the particulars of which he did not remember; it was on the subject of politics. He never was present in the Borough after the first evening. He once attended a Society at the Three Kings, in Aldgate. He was at a dinner at the London Tavern, where he recollected several resolutions being passed, some speeches, and an address—could not tell who proposed it, but rather believed it was Thelwall. The address, he understood, was either to the National Convention, or to the National Assembly.

This witness was cross-examined by Mr. Gibbs and Mr. Thelwall.

Davidson, the printer, deposed, that part of the manuscript of the songs and toasts alluded to, in Thelwall's letter to Citizen Jack, was given to him to be printed by Thelwall.

On cross-examination, he said; that he had heard Thelwall say, that pen and ink must be the cannon and powder used; and that when it was generally expected that the Police Officers would interrupt the meetings of the London Corresponding Society, Thelwall told them to submit to the law, for the law would justify them.

On

On being re-examined by Mr. Law, he declared Mr. Thelwall an orderly peaceable man.

The Counsel for the Crown then gave in evidence the proceedings of the London Corresponding Society, so far as related to the delegation of Margarot, Gerald, &c. The resolutions of the Society respecting the prosecution of Holt, for reprinting the Duke of Richmond's letter, were read. The proceedings relative to the expenditure of the finances of the Society, were next read. Also several letters.

John Gunnell was called to identify a letter, dated 2d December 1795, from Margarot and Gerald, to T. Hardy, and found amongst his papers.

J. Walsh was examined to identify a letter, signed T. Hardy, to the Norwich Society, and also found among his papers.

Among other pieces of written evidence, was a letter signed by the prisoner, and directed to Citizen Jack Whellum.

The prisoner here begged permission to ask the Rev. Mr. Williams, who was called to prove his hand-writing to the before-mentioned letter, a few questions. This being granted, the prisoner asked the witness, upon what occasion he had seen him write? the witness answered, That he married the prisoner, and saw him write his name upon that occasion.

Prisoner—My Lord, I have nothing more to ask the witness.

Mr. Timms, the messenger, was called to prove the finding the papers in the prisoner's possession at the time he had taken him into custody.

He was asked by the prisoner, if he did not go into a separate room, and make a new arrangement of his own in those papers? he said, He did

not. Mr. Thelwall said, he saw the witness go aside, as if he intended to do so.

Mr. Gurney, the Barrister, was called, and desired to state the particulars of a letter received by him from Mr. Thelwall. He had not the letter, he said, nor did he precisely recollect its contents.

In the answer which he wrote to Mr. Thelwall, he desired him not to say any thing violent at his lectures, or make any harsh observations on the Monarchy or Aristocracy of this country, but to attack Reeves's Association as much as he pleased.

George Lynam was also examined and one Taylor, who had been convicted of Bigamy, at the last Old Bailey Sessions, and sentenced to be imprisoned in Newgate for the space of a fortnight, and then discharged on paying a fine of one shilling, was next examined.

This witness, who was in the confidence of Government, produced a voluminous journal of those divisions of the London Corresponding Society, to which he had access, and stated that, on all occasions, Mr. Thelwall was an active member.

On cross examination, John Taylor stated, that he was a watch-maker by trade--that he had not done any business in that line since the year 1785--that he had frequently shifted his residence during that interval--and that he lived on a small income, he had in right of his *first* wife, who was still alive. The witness next gave an account of his motives for visiting the different divisions of the London Corresponding Society. The first meeting he attended, in order to gratify his curiosity, was at the Globe Tavern, on the 20th of January last. Struck with the novelty of the proceedings, he resolved to become a member, which he contrived to do soon after. He declared, that he attended the meetings afterwards for the ex-

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press purpose of collecting information of their proceedings, and reporting the result to Government.

The story of the *Game Cock*, was proved to have been written by Mr. Thelwall.

Mr. Timms, a messenger, swore, that after the apprehension of the prisoner, on the 15th of May last, and while in his custody, Mr. Thelwall declared, &c. "If I had been a fortnight longer at liberty, I should have been surrounded by such a number of my friends, that you would have found it a difficult matter to apprehend me."

In his cross-examination by Mr. Erskine, the witness said, this declaration was made after the prisoner had undergone an examination before the Privy Council. Nobody else was present; and he thought it strange, such an unguarded expression should have escaped him.

Mr. Thelwall begged Mr. Timms to recollect, whether in an hour or two, after apprehending him, the witness did not talk rather freely on political topics, and that he (Mr. Thelwall) admonished him to drop the subject, for they might entertain themselves better by conversing on any other topics.

The witness said, Mr. Thelwall was right in part only. True it was, he said, that a conversation about politics occurred; but the admonition came from himself, and he offered Mr. Thelwall books to amuse himself, to avoid political discussions.

Here the evidence on the part of the Crown closed.

Mr. Erskine, after a pause of a few minutes, said, that he was now to address the Jury under circumstances extremely new and embarrassing.

He was called upon in a much more sudden manner than he expected, to enter upon the defence of the prisoner at the bar. But, perhaps, he should not complain of that embarrassment, as it arose from the learned Serjeant, who led the prosecution, having declined to call evidence in support of the most important part of his case. The voluminous mass of written evidence again occurred for a third time, and he had the authority of the learned Chief Justice, who presided, in saying, that a repetition of such a huge and indigested mass, increased the obscurity and confusion which at first attended it.

He then proceeded in a very able manner to confute all the objections made, and observed that of all the written evidence, the Address to France was, doubtless, he observed, the strongest; but in this, the prisoner had no concern; it was the act of Mr. Tooke, and the Constitutional Society.

In the lectures given by the prisoner, some expressions of violence and impropriety had been deposed to by Mr. Taylor; but, in this evidence, he was quite unconfirmed; and not only himself stood in the light of a spy, but had perjured himself, in order to commit felony; for it appeared that he had been guilty of bigamy; and, in obtaining the licence for a second marriage, had made oath before the Surrogate, that he was a *bachelor*. Beside, if what he deposed were true, men are not to be judged by words accidentally dropped in moments of irritation or spleen. If such were to be held binding on a man, all the intercourse and charities of social life would be destroyed; for who could acquit himself of irreverent words towards his friend, his neighbour, the government under

under which he lives, or even the God he adores? The arms that had been offered in proof, sunk, in the examination, to nothing. In number they were trivial; and were, from the evidence of the Crown, taken up for self-defence.

Upon the whole, it would appear, he was persuaded, that not only the object and means of the prisoner were legal, but his general language and deportment orderly and peaceable.

The plain question of fact will rest with you, Gentlemen, who will recollect that the indictment must be proved in form, as well as substance. If Government seek for credit on these prosecutions let them be content with preventive vigilance, which is, on all occasions of Government, paramount to vindictive.

The first witness examined on the part of the prisoner, was Steward Kyd, Esq. barrister at law (the gentleman who, together with Messrs. Bonney, Joyce, and Holcroft, was discharged by proclamation the preceding Monday) he said, He was a member of the London Corresponding Society, the object of which was, a Reform in the Commons House of Parliament. He well knew the prisoner, who was a zealous advocate for a Parliamentary Reform, but who had, according to the observation of the witness, conducted himself in a just and peaceable manner. The witness never had any reason to think, nor did he believe, that the prisoner ever had meditated any design to subvert the Monarchy, or compel, by force, any alteration in the Constitution.

The next witnesses were John Horne Tooke, Esq. J. A. Bonney and Captain Harwood, who believed the prisoner had no other view than a Parliamentary Reform.

A witness

A witness was then called to prove that Taylor, the informer, had sworn, in an affidavit he made in Doctors' Commons, that he was a bachelor prior to his marriage with his second wife, for which he had been convicted of bigamy. The production of this affidavit gave birth to a long argument between the Counsel as to its admissibility.

The Court were of opinion, that the shape in which the question had been put to the witness on Tuesday, did not warrant the production of this affidavit in evidence.

J. Topham was then called to invalidate the testimony of Taylor, who, he said, had formerly gone by the name of Roberts. This Taylor had denied upon his examination.

David Phillips said, he knew John Taylor, who took a lodging of the witness, under the name of Roberts; the witness never knew him by any other name; the witness saw him in Newgate, when he told him to say, in case he should be subpoenaed, that his name was Taylor, and not Roberts.

Messrs. Cline, Parkinson, Clarke, Wilson, &c. were also evidence for the prisoner.

The evidence being closed on this part, Mr. Gibbs commenced a very able speech upon the nature and force of the testimony of the witnesses. It was necessary, he said, to remind the Jury, that two former Juries had pronounced Mr. Hardy and Mr. Horne Tooke to be innocent men, and yet they had been declared to be the leading men in the very conspiracy for which the prisoner stood indicted. The evidence in support of the charge, he contended, did not apply nearly so strong to the prisoner as to the two former gentlemen, because he did not belong to the Society at the time the strongest

strongest measures were adopted, and yet the very proceedings that had failed to fix any guilt upon them, had been industriously brought forth again to convict the prisoner, who was a total stranger to the transaction. He concluded a speech of about twenty minutes, in reminding the Jury that the prisoner had put himself upon God and his Country for deliverance, and he felt a conviction that the Jury, who were his countrymen, would pronounce, by their verdict, his true deliverance.

The Lord President then informed the prisoner, that the time was then arrived, for him to address the Court himself, if he thought fit to exercise that privilege.

The prisoner said, that his learned Counsel had discharged their duty with such distinguished zeal and ability, that he felt it totally unnecessary to add any observation himself to what they had said in his defence.

Mr. Serjeant Adair now made his observations on the whole of the evidence, and the Lord Chief Justice Having summed up the whole, the Jury retired about twelve o'clock, and at five minutes before two, they returned into Court, and pronounced a verdict—**NOT GUILTY.**

Mr. Thelwall rose.—After so long a trial, he said, aided by so powerful a prosecution against a poor and unconnected individual as himself, without fortune and without friends, after suffering seven months confinement in a prison, and enduring, with the pain imposed upon his body, the more excruciating tortures of the mind, and after risking not only his life but his reputation, he could not hear the verdict which was then delivered without emotions too vast for utterance, and too sublime

sublime for thought. To the Court, to the Jury, to the People, he was indebted for candour, judgment, and patience, ever memorable. Yet although he might content himself with making this acknowledgment, nor longer intrude on the attention of the Court, he conceived that he was honoured with a public trust, which was incumbent on him to discharge. He confessed, that he had acted with imprudence, and had sometimes perhaps exceeded his intentions—but he had never acted with a criminal design. Of an irritable temper, and endowed with passions, it was hardly possible for him sometimes to repress that indignation, which was purposely provoked by his accusers to draw him in a snare. It was true, that he had written that letter, which was produced against him, addressed to a friend in America—but he said, that he had not only never sent it, but that he had never read it after it was written, or he should have consumed it in the flames.—He was ashamed of the bombastic and inflated language which composed it; but, for his Lectures, as all who had attended them, except those who came in the character of spies, he said, they were calculated to support himself, by giving reasonable instruction to the people. He could have no personal enmity against his Sovereign, nor had he conceived so horrible an intent as to depose him from his Throne, or deprive him of his life. Far too from his thoughts were all treasons and conspiracies against the State, all projects of subversion, all provision of arms. Happily, he hoped, the time was arriving, or would arrive, when pikes and muskets would no longer be fabricated, and when each engine of destruction would be destroyed itself; when man would look on man as brothers,

brothers, by one immortal parent, and an universal compact of fellowship and peace prevail. Though acquitted by the verdict of his country, however, at a seasonable time and opportunity he proposed, in moderate and lawful terms, to justify his conduct to the world.

The Chief Baron Macdonald, in words that dropped like honey from his lips, and with looks that warmed and blessed the hearts of his hearers, regretted that Mr. Thelwall had made the latter declaration, which was totally irrelevant, and not within their jurisdiction. Since he was acquitted, and acquitted too by the noblest and most public verdict of his country, he advised him to reverence those laws by which he had been justified, to respect that people to which he was returned, and to conduct himself with such propriety as should not only be satisfactory to his own conscience, but ensure him eternal honour.

Mr. Thelwall bowed, and was released.

The Remarkable Trial, Confession and Execution of
PATRICK MURPHY, for a Rape.

PATRICK MURPHY was indicted for committing a rape on the body of Isabella Mackay, an infant of eight years of age.

Ann Mackay, the parent of the child, deposed that she knew the prisoner perfectly well; that he was porter to Mr. Riley, of whom she had a house; that being engaged as servant to a lady, she, by permission of Mr. Riley, sent three of her children to a vacant house of his in Great Portland-street, under the care of Mary Wade, in which house the prisoner was employed; that they re-

remained in it three weeks, at the end of which time her daughter Isabella came home, and made complaints; which discovered the cause they arose from.

After considerable arguments between the prisoner's Counsel and the Bench, as to the admissibility of the child's evidence, she not fully comprehending the obligation of an oath, the Jury determined to hear the child, and then conclude what weight the tenor of its evidence deserved.

Isabella Mackay, between seven and eight years old, knew the prisoner at the bar, and deposed, that about three weeks ago he treated her very ill; that she went to fetch her brother down stairs; that the prisoner talked very improperly, and pushed him out of the room; then put too all the shutters of the windows, and forced her on a sofa, and hurt her exceedingly; he then let her go down stairs, and gave her a halfpenny, saying, if she told, he would let her mother know she bid him do so. On the next day he again turned her brother out of the room, and talked in the same manner as before, and proceeded to treat her with the most brutal indecency, and again declared, if she told her mother, he would say she bid him to do so.

Mr. John Andrews, a surgeon, who examined the child at Bow-street, deposed, that it had every symptom of a bad complaint.

In consequence of the cross-examination, Mr. Justice Rooke pointed out to the Jury, that this case was not to be considered as between parties in a state of puberty, but constituted a capital offence, from its being committed upon a child under ten years of age.

The learned Judge, after summing up the whole,
with

with the utmost impartiality, laid down to the Jury the law of ravishment of a child under the age of ten years; which was, that at so young a period the child could not in law consent to the act; and that she being under the protection of the law, the act of lewdness with her was a capital offence.

The Jury found their verdict---*Guilty, Death.*

The Judge in passing sentence on him, remarked the heinousness and the brutality of his offence, and strongly recommended to him a good and proper use of his few remaining days.

At the place of execution he behaved with the greatest propriety for one in his unhappy situation. He suffered before the debtors' door at the Old Bailey, on Thursday, January 29, 1795. A little before he was executed, he addressed the spectators in the following words:

"Behold a poor miserable sinner on the verge of the grave, and on the brink of eternity, hurried thither by the violence of his unbridled passions.

"Maddened by lust, I so far forgot the dignity of man, as to violate an infant no more than eight years of age. When you reflect with horror on my monstrous wickedness, O beware of the same fatal snare into which I have fallen; subdue the first impulse of unlawful and unnatural desire, or you, like me, may curse your brutal lust, and suffer an ignominious death.

"Pray for my soul O good people, that it may be snatched as a brand out of the fire."

The Lives, Execution, &c. of JOSEPH STRUTT, for Rioting, and FRANCIS ROSS, for Forgery.

JOSEPH STRUTT was found guilty of being principally concerned in a Riot at Charing Cross, occasioned by a mob collected together to revenge themselves on those abominable miscreants who then swarmed in the metropolis, called Crimps, who occupied a house for that purpose in Charing Cross.

Notwithstanding the motive which first excited the populace, was laudable and natural, still the mode of proceeding cannot by any means be justified; as nothing is more dangerous than collecting a mob, as it is impossible to direct their aim properly to the object of their just indignation and revenge; nor is there any telling when their operations will end, or what dreadful convulsions they may produce, as past experience has fully proved.

But it is not so much the natural impulse of revenge that is to be dreaded, as that alone might produce beneficial purposes, by putting a stop to the practice complained of; but it is the introduction of improper persons, whose views are directly contrary to those by which the populace are actuated, having for their object confusion and plunder. Of this latter description appears to be the noted Joseph Strutt, who suffered for his offences.

This singular character has long been known in London, for the variety of his depredations on the public. He was born in the year 1764, in St. Giles's, of poor but honest and industrious parents, who gave him the best education their small

small means could afford; but the narrowness of his parent's fortune could not set bounds to the genius of their son, who aspiring above the humble sphere of his birth, without the necessary supply of money, formed at an early period of his life, a connection that ended in his ruin.

Before he was fourteen years of age, he was a member of the famous Golden Lane Gang; it was also about this time he got connected with the celebrated barrow-girl, commonly called Saucy Nan, with whom he lived for upwards of seven years, when a dispute arose concerning a child of which she was delivered, and of which she asserted Joe was the father; but he having just cause for jealousy, rejected it with disdain, and swore he would be its death: whether he fulfilled his oath we cannot say, but the infant disappeared in a few days, and Joe and Nan parted in consequence.

Since that period he practised a number of ingenious devices on the public, and always with success: he used to boast himself the cleanest pick-pocket in town; and would frequently from the fruits of one night's performance, procure sufficient to maintain himself genteelly for six months or more, by which economy he was less exposed to detection than the generality of the light-fingered tribe, till the unlucky chance of his getting into the mob at Charing Cross, he was arrested in his career, being taken up as ringleader of the riot, committed to Newgate, tried and condemned.

It should not be omitted, that just before his apprehension, he married a deserving young woman, on whom he imposed himself as a merchant's clerk; he has now left her with child, to deplore
her

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her own wretched mistake, and his miserable and shameful end.

The following is a copy of a letter he sent her from the cells of Newgate.

“ Dear Betsey,

“ Pierced to the heart with the deepest remorse and sorrow, for having deluded your innocent heart, I dare not ask your forgiveness—yet I cannot die without it. Is it possible, my dearest Betsey, that you can grant it,

“ I know great is the injury I have done you, accumulated misery and shame have I brought upon you, and no means of atonement for me to make; but while I have life my fervent prayer shall be for your future happiness! And, O! my dear, could I believe you would forgive me, and pray for me, I should die happy, for the prayer of the righteous prevaileth much.

“ Your unhappy husband,

“ Till death,

“ JOS. STRUTT.

Newgate, Jan. 28.

Strutt suffered with Patrick Murphy, and at the same time was executed Francis Ross, for forgery. Ross was formerly a waiter at a celebrated inn in the county of Surrey, which situation he was obliged to leave on account of a bastard child; he soon afterwards got the place of a principal waiter at an inn in Holborn, where he for some time conducted himself with the greatest propriety, so as to gain the esteem of all to whom he was known; but about this time he became acquainted with an unfortunate female, a girl of the town, with whom he cohabited for some time, till her extravagance led him to seek unlawful
sources

sources to supply her wants : he accordingly first began with trifling frauds, which his situation enabled him to commit without detection ; but suspicion having arose, by some silver plate being missed, and some circumstances appearing rather against Ross, he thought proper to decamp, which was considered as a certain proof of his guilt.— He had long left his place in Holborn, before he committed the forgery for which he suffered.

The following is a copy of a letter which he wrote to the above female the night before his execution.

“ My dearest Life,

“ This, with my firmest love and tender affection for you ; but now all hopes of happiness are lost ; an untimely fate will soon put an end to my life. Pray, my dear, dont let the thoughts of my unhappy fate be a long trouble to you ; that God may be your guide and comfort, is the constant prayer of your dying lover,

“ FRAN. ROSS.

“ Farewel, my dear Maria.”

During the time he remained under sentence of death in Newgate, he constantly and solemnly denied his having committed the forgery, in hopes of obtaining a reprieve ; but when he found those hopes were fled, he made a full and public confession of his guilt.

The following is his public confession before the Ordinary of Newgate, and the congregation, assembled to hear the condemned sermon.

“ Dear Friends.

“ Notwithstanding I have hitherto so solemnly denied the charge of which I have been convicted,
from

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from the flattering hopes of a reprieve, I now confess, before God and man, I stand guilty not only of the offence for which I am going to suffer, but also of divers other forgeries and frauds, for which I cannot make restitution. I ask forgiveness of the Almighty, whose laws I have violated, and of my fellow creatures whom I have injured."

How melancholy it is to find that Satan so often triumphs over the heart: for the sake of happiness, both here and hereafter, we should day and night implore divine Providence not to suffer us to be led into temptation!

The Remarkable Trial of JAMES GEORGE LISLE, alias MAJOR SEMPLE, for Stealing.

ON the 18th of February, 1795, the Session at the Old Bailey was opened by Mr. Justice Buller, Mr. Justice Ashhurst, Baron Thompson, the Recorder, &c.

Major Semple was indicted by the names of James George Lisle, alias Semple, for stealing in the shop of Mr. Wattleworth, in Wigmore-street, one yard of muslin, two yards of callico, and one linen shirt. — Todd, servant to Mr. Wattleworth, gave in evidence, that the prisoner came into their shop about noon on the 10th of November, and shewing two patterns, one of muslin and the other of callico, said he wanted them matched for Mrs. Coningham, of Egham-green; they had not exactly the same pattern as the muslin; but he chose one, and a yard being cut off, and two yards of callico, he said he would give them

them to the lady's servant, who was at the door, and calling in a man, gave them to him. He then asked if Mr. Wattleworth was at home, saying, he wanted some shirts; as he was shewing him some, Mr. Wattleworth came in, on which the witness left them together, but afterwards came and took his name as Lieutenant Colonel Lisle, which he entered in a book, and reading that as well as Mrs. Coningham's, at Egham-green, to whom the muslin and callico was set down, the prisoner replied, it was very right.

Mr. Wattleworth confirmed Todd's testimony, as to his coming in while he was serving the prisoner, and then said, that the Major stated himself to have just arrived from the Continent, and that he should want a quantity of shirts, and wished to take one with him to consult his sister, who, he thought, would be a better judge of the linen than he was; that he would bring it back in the morning, and then give his order. This sister he called Coningham, and as the witness had a customer of that name, he made no hesitation, but gave him the shirt under those conditions. This happened in November; but he never saw the prisoner again until January, when he was in custody in Bow-street.

In his cross-examination, he admitted, that he had credited a Mrs. Coningham for the muslin and callico; but that he had afterwards made every enquiry at Egham, without being able to find that any such person lived there. He also admitted, that after the Major was in custody, some person came and asked him if the articles were paid for or returned, whether he would forbear appearing against the prisoner; but he would not say by whose authority that person came.

This was the whole of the case, and the Counsel for the prisoner contended that they had not made out the charge of the felony, the evidence, if true, amounting only to that of obtaining goods under false pretences; for they had even admitted they gave credit to Mrs. Coningham for the muslin and callico; and as for the shirt, it appeared he had been trusted with that, and it remained for the Jury to be convinced he had an intention of not returning it at the time he was so trusted, before they could convict him.

Mr. Justice Buller, who tried the cause, admitted the Counsel was perfectly right as to the callico and muslin, for it had been repeatedly so decided in various cases by the whole of the Judges; but he did not agree with him in respect to the shirt, and, therefore, should leave it to the Jury.

The Major being called upon for his defence, begged permission to read a few words he had put to paper, fearful his embarrassed situation might otherwise prevent him from saying what he wished. This paper stated, that he did not mean to deny he had unfortunately been in that place before; but some of the public prints had so misrepresented facts, that he had reason to fear the minds of the public might be so far prejudiced against him as to suppose he had spent his whole life in making depredations. To prove that it was not true, he begged to shew how his latter time had been passed. On going abroad, he found the French engaged in a war, fighting, as he thought, for freedom; he entered their service, and was soon honoured with rank in their army. This, however, at much hazard, he quitted, on their declaring war against this country, and went over

to the Austrians, with whom he for some time served as a volunteer. The commander noticing his exertions, gave him a commission of no small rank, in which he continued until he was recognized by some British officers, and it was instantly circulated through the army, that he was the convicted Semple, (he having taken upon himself the name of Lisle.) On this he was obliged to quit that service;—but still willing and desirous to serve, he went towards the Rhine, and obtained a commission under the Hereditary Prince. He had not, however, been long here, when a British officer sent to the Commandant, that he had been condemned to transportation, but without stating the time had expired. Being thus suspected of being a run away felon, he was taken into custody by the police, and confined in a prison for more than five weeks, without even the permission of pen and ink. The fact being cleared up, he was set at liberty, but not without losing his situation; he again, however, went into the field, and was twice wounded. This induced him to return home, and he sent a letter to Mr. Dundas, a copy of which he desired might be read; but the Court thinking it irrelevant, it was not admitted. He then concluded, that he had been thus persecuted, because he was Major Semple, and which had also brought him to that bar on that day upon a charge of which he was totally innocent.

Mr. Justice Buller recapitulated the evidence, and then explained the point of law, which, he said, was certainly in the prisoner's favour, as far as related to the muslin and callico; but it was not so with the shirt, for he not having bargained for that, nor any price being fixed on by the prosecutor, he could not be said to have given him

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credit for it, therefore, if they were convinced he took it away intending not to return it, that, as Mr Justice Gould had formerly explained, would be an intent to steal it, and in that case they must find him Guilty.

The Jury, after near half an hour's consideration, brought in a verdict—*Guilty of taking the shirt under false pretences.*

This, the Judge explained, was no verdict; on which, in a few minutes, they pronounced him *guilty of stealing the shirt.* Not guilty upon the charge of the muslin and callico.

James George Semple, alias Lisle, was put to the bar of the Old Bailey, on the 21st and received sentence of transportation to such parts beyond the seas as his Majesty, with the advice of his Privy Council shall think fit. The Major was dressed in his uniform. After the sentence he bowed very respectfully, but did not speak, and appeared to be perfectly reconciled to his fate. Here closes the career of a man whose talents and personal courage might have rendered him an ornament to society, had he trod in the steps of virtue and honour.

The following Lines written by this extraordinary character, were addressed to a young Lady of Richmond, in Yorkshire, to whom he was to have been married, but a gentleman, from London, knowing the Major's person, waited on the parents of the lady, and, as may be supposed, prevented any further intimacy between the parties.

For ever, O! merciless fair,
Will that cruel indifference endure;
Can those eyes look me into despair,
And that heart be unwilling to cure?

How

STEPHEN WATSON, &c.---for Murder. 373

How oft what I felt, to disguise
Has my reason imperiously strove,
Till my soul almost fell from my eyes,
In the tears of the tend'rest love.

Then Delia determine my fate,
Nor let me to madness be drove,
But O! do not tell me you hate,
If you even resolve not to love.

*Execution, &c. of STEPHEN WATSON for the
Murder of his Wife, and WILLIAM BEN-
NINGTON, for the Murder of his Master.*

STEPHEN WATSON, having been capitally convicted of the wilful murder of Elizabeth Watson, his wife, at West Bredenham, and William Bennington of the wilful murder of Mr. John Filbee, farmer, of West Dereham, with whom he had lived a servant, received sentence of death, according to form, they were tried on a Monday and executed the Wednesday following.

Perhaps a more hardened villain never appeared in a Court of Justice than Watson, and the cruelties he inflicted upon the poor unfortunate woman his wife, who had only been brought to bed a week when she died, in consequence of his barbarous usage were such as excited general horror.

Bennington appeared to be truly penitent, and sensible of his awful situation; he made a very ample confession of the fact, which was read in court, wherein he said that he killed his master by striking him violently with a pitchfork whilst in the stable, and that he afterwards buried him in the yard; he acknowledged to have had criminal connections

connections with his mistress, but declared she was no ways accessory to the murder.

The bodies of Watson and Bennington were hung in chains, near the places where they committed the facts.

They suffered on the 1st of April, 1795.

Such is the deadly sin of murder, that when committed it calls loudly for vengeance—the first murderer was *marked* by heaven, and agreeable to the divine will, blood for blood is demanded. That it is a sin the most heinous in the sight of God is evident from its being so very seldom capable of concealment.

A particular Account of the Trial, &c. of MATTHEW DUNN, for the Murder of a Watchman, who was executed at the Corner of Carter-lane, Pauls' Chain.

MATTHEW DUNN was indicted for the wilful murder of Thomas Price, a watchman of Castle Baynard Ward, on the 3d of February, 1795, between the hours of twelve and one. The prisoner desired the witnesses might be examined separately.

Richard Fitzgerald, one of the patrols, was the first witness; his evidence was in brief—at that time he was in Sermon-lane, with another watchman, and they heard a cry of murder. They went to the house of Mrs. Harvey, whose door was open; they entered, and gave her a light: she said she had candles above stairs, but Dunn will murder me if I go up, he has a loaded pistol: a little girl answered, he has got two loaded pistols and a gun. The witness withdrew, and
the

the prisoner ran down stairs and followed him with a pistol, and swore he would blow his bloody head off: the witness turned round and asked why? I am a servant of the ward, and have done you no harm; go home about your business. The prisoner swore he would blow the brains out of the first watchman he met. The witness sprung a rattle, upon which the prisoner returned; shortly afterwards he heard a pistol go off. When he got round in his beat to the house again, there were several watchmen collected, and he saw a firelock projected out of the window; the witness directed the watchmen to go about their business, and go no more to that house. Shortly afterwards the prisoner again came down, and the witness saw him in Little Carter-lane, with two pistols, calling out watch, watch, where are you, ye thieves? A *spare* watchmen came up, and the prisoner swore he would blow his brains out; the man begged he would not; the prisoner desisted, but shortly afterwards fired a pistol in a wanton manner; that was all he knew.

George Pudner, another watchman.---He confirmed all the circumstances sworn to by the other witnesses; and added, that when it was near two, he and Price (the deceased) said, what had we best to do? the prisoner came up again, and swore he would blow the bloody watchman's brains out; the witness ran into the King's Head-passage and put out his candle, and he escaped. When he came out of the passage, he saw the prisoner with a gun in his hand; at that moment the deceased, Mr. Crickett, and Mr. Green came up; as they drew nigh, the prisoner levelled his piece, and fired. Price instantly dropped, he saw his coat
on

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on fire, and he ran to stop it when the blood sprung out; he was dead in three or four minutes.

Mr. Knowles in defence attempted to prove, that he was at times mad, and that he was particularly so on that night. He called the prisoner's brother and cousin, with Mrs. Harvey, his reputed wife, who gave a very confused evidence, that he was sometimes dull and stupid at his work.

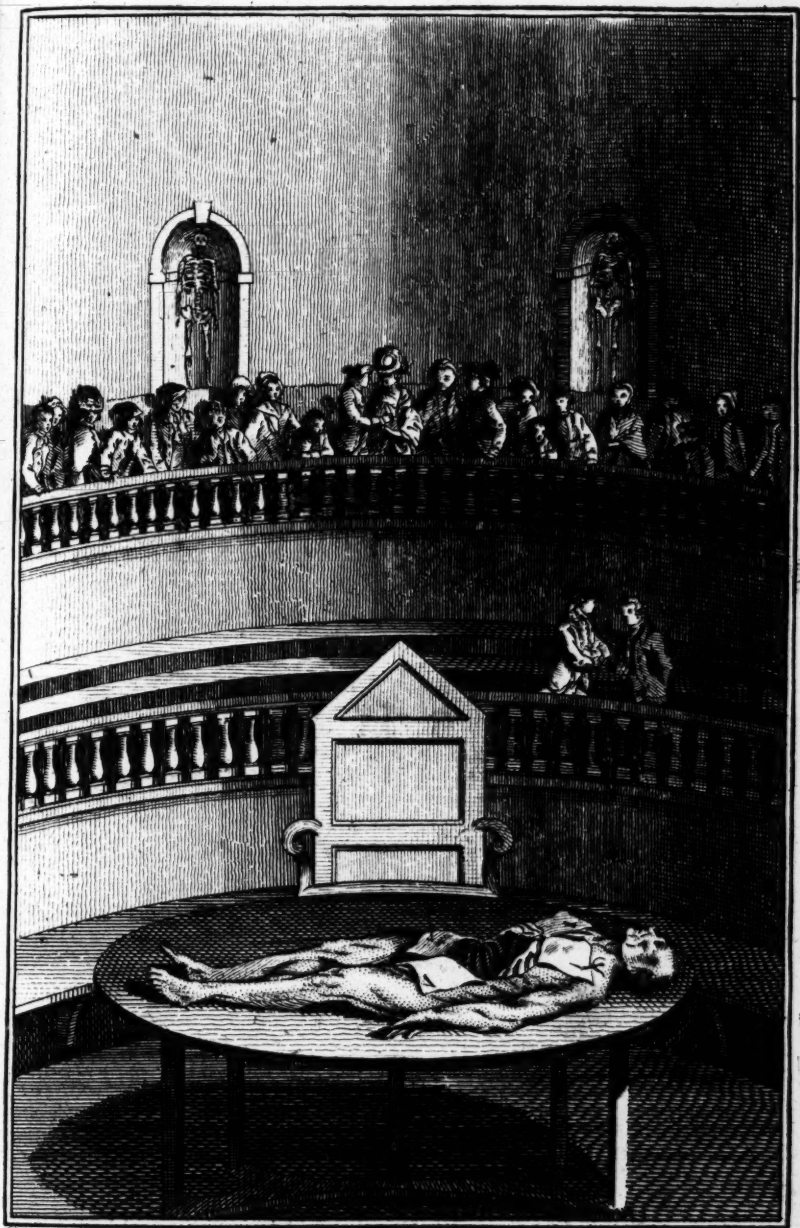
Lord Kenyon having finished his charge, the Jury retired five minutes, and found a verdict - Guilty Death.

The Recorder immediately pronounced sentence of death, to be hanged on the following Monday, then his body to be anatomized. He desired him to prepare for an awful eternity, as it was impossible to expect mercy. He concluded, "and may Almighty God have mercy upon your soul."

On the 20th of April, pursuant to his sentence, this unfortunate man was brought out of Newgate, and being seated in a kind of chair on an elevated platform, covered with black, in a cart, attended by the proper officers, was conveyed in solemn procession along Newgate-street, and down the Old Change to the corner of Pauls' Chain, near to the spot where the murder was committed. Being arrived at the place of execution, after about twenty minutes spent in prayer, he was turned off. He conducted himself with great propriety; and after hanging the usual time, the body was conveyed to Surgeons-hall for dissection.

To what sin and unwarrantable measures will a man's passions often drive him---there is nothing so dangerous as an ungovernable temper---for as the wise man says---"An angry man who can abide."

The



Do not delete!

*The Body of a MURDERER exposed in the Theatre
of the Surgeons Hall, Old Bailey.*

White sculpt.

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*The remarkable Trial of the Rev. Mr. JACKSON,
at Dublin, for High Treason, with a full Account
of his extraordinary Death.*

ON the 23d of April at eleven o'clock, the Reverend Mr. Jackson was brought to the bar to take his trial for High Treason. The indictment charged the prisoner with two species of treason, namely, compassing the King's death, and adhering to his enemies; and stated fourteen overt acts.

The Attorney General opened the prosecution on the part of the crown; and having dwelt at some length on the doctrine of treason, proceeded to substantiate the charges laid in the indictment; for which purpose he called,

Mr. Cockayne, an attorney of London, who deposed, that he had been for a series of years the law-agent and intimate friend of Mr. Jackson, who, a few years since went to France (as the witness understood) to transact some private business for Mr. Pitt, where he resided a considerable time. Soon after his return, Cockayne said, he called on him, and told him in confidence, that he had formed a design of going to Ireland, to sound the people, for the purpose of procuring a supply of provisions, &c. from them for the French, and requested him (the witness) to accompany him. Having accepted the invitation, he immediately waited on Mr. Pitt, and discovered to him the whole of Mr. Jackson's plans. The Minister thanked him for the information, and hinted, that as the matter was to become a subject of legal investigation, it would be necessary for him to substantiate the allegations; but this Mr. Cockayne wished to decline, on the principle

that, if the prisoner should be convicted of high treason he should lose by it 300l. in which sum he then was indebted to him. This objection was soon removed by Mr. Pitt agreeing to pay him the money, provided he would prosecute to conviction; and the witness accompanied Mr. Jackson to Ireland, for the purpose of making himself acquainted with his proceedings. Shortly after their arrival in Dublin, where they lived together, the prisoner expressed a wish to be introduced to Mr. Hamilton Rowan, who was then confined in Newgate; and at length, through the intercession of a friend, he obtained an interview, at which Mr. Cockayne was present. In the course of conversation, the prisoner delivered two papers to Mr. Rowan, for the purpose of convincing him that he was a person in whom he might confide. From that time an intimacy took place between them; the witness always accompanied Mr. Jackson in his visits to Mr. Rowan, and constantly took a part in their conversation. They agreed, he said, that a person should be sent to France to procure a force to make a descent on Ireland, and Counsellor Wolfe Tone was mentioned as a fit person for that purpose, who at first appeared to acquiesce, but afterwards declined the office. Dr. Reynolds was then proposed by Mr. Rowan, but objected to by the prisoner, as he did not understand the French language. It was, however, at length agreed the Doctor should take the embassy; but in a short time he also refused to enter into the business. On this it was agreed that Mr. Jackson should write several letters, which was directed for a Mr. Stone, of the firm of Lawrence and Co. London. These contained inclosures for houses at Ham-
burgh and Amsterdam; and some of them to the French agents, described the situation of Ireland

at

at the time, invited an invasion, and pointed out the proper places to land. These letters having been sent to the post office, the witness went to the secretary, and informed him of the subject of them, on which they were detained. The plot matured thus far, having been discovered, the prisoner was taken into custody.

Such is the substance of the examination and cross-examination of Mr. Cockayne, which, together with the documentary proofs alluded to, were the only evidence adduced. He appeared very much agitated and confused throughout the whole of the investigation.

Mr. Curran and Mr. Ponsonby exerted their well-known abilities in behalf of the prisoner. The former spoke at much length. He treated the conduct of Mr. Cockayne as extremely suspicious; and, from the pecuniary temptation thrown in his way to act the part he had done in the business, suggested to the Jury that his evidence was entitled to very little credit.

The Prime Serjeant replied,

Lord Chief Justice Clonmel delivered a very able and impartial charge to the Jury, who retired at forty-five minutes after three in the morning, and at half past four brought in a verdict--Guilty--but recommended the prisoner to mercy.

The Chief Justice enquired of the Jury if they had any doubts on their minds, that led them to such recommendation?--The foreman answered immediately, "No my Lord."

The Judges Clonmel, Boyd, and Chamberlain consulted for a few moments. The Chief Justice then addressed the Jury, "Gentlemen, you have acquitted yourselves with honour, and a con-

entious regard for justice. It is more than a century since this land has been cursed with such a crime, and we trust your verdict will operate in preventing a repetition of it. Your recommendation shall be laid before government.

Mr. Jackson heard the verdict with much apparent composure. He was remanded to prison, and was expected to receive the sentence of the law on the following Wednesday.

[The Jury would, in all probability, have acquitted the prisoner, had he not inadvertently acknowledged the letters (which Mr. Cockayne swore to be his hand-writing) by explaining some mysterious passages in them. The witness's agreement with Mr. Pitt would otherwise, it is said, have invalidated his evidence.]

The Jury were---Mr. Alderman Exshaw, Messrs. Pentland, Cranfield, Humphrey, Cowan, Simon, Oldham, Donovan, Ward, Forster, Smith, and Hodgson.

The trial lasted seventeen hours and a half.

On his being brought into court to receive judgment on the 30th of April, the clerk of the crown having read the indictment against the prisoner, and the conviction thereon, and asked him the usual question---what he had to say why judgment of death should not be passed upon him? Mr. Curran prayed that the caption of the indictment might be read, which being done, he objected that the court could not proceed to pass judgment, inasmuch as the copy of the caption of the indictment had not been served on the prisoner; and that the names of the grand jurors who found the bill of indictment were not set out in the record, and inasmuch as it did not appear what such grand jurors were sworn to do.

Mr.

Mr. Ponsonby spoke to the same point.

The Attorney General said, that, if there was any objection on the part of the prisoner, going to the legality of finding the indictment, or to the competence of any of the grand jury, who found the bill of indictment against the prisoner, or even to the sheriff, who impannelled the grand jury, it should be made before he pleaded to the indictment.

It being intimated to the court that the prisoner at this time appeared to be in a very dangerous situation, in point of bodily weakness, having some time before, and, from his first being brought into court, appeared to be uncommonly agitated.

The court ordered, that if any medical gentlemen were present, they should examine into the situation of the prisoner, and report their opinion thereon.

Doctor Waite, who was in the county jury-box, went down to the dock, and after examining the prisoner, reported that he was in a sinking situation, and had every appearance of going off.

Mr. Kingsley, druggist, who said he was bred an apothecary, also examined the prisoner, reported that he was dying, and had every symptom of death upon him.

On this the court ordered that the prisoner should be remanded until further orders; but, in a few moments, the unfortunate man expired in the dock. The court immediately adjourned.

The Coroners Inquest was held the next day, when surgeons Hume and Adrian opened the body, and deposed he died in consequence of having taken some acrid substance, but they could not tell what. His bowels and chest were greatly inflamed. In his pocket was an handkerchief, one

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of his pamphlets, and a very elegant short prayer, written by himself, praying to God to deliver him from his enemies, *who were very great and violent.* In a little box, left in the jail, was only a miniature of his wife, and a letter from Mr. Ponsonby. He was brought up in irons, but very light and neatly made for him.

It is in our power to give many particulars of the life and conduct of this unfortunate man, but as we disdain to extenuate the errors, even of the dead, even by a deviation from truth, and still more pointedly disdain the conduct of those who with a shameless disregard of decency, anterior to the knowledge of the fate of this wretched sufferer, while the glow of charity and mercy might yet have been of use to him, raked up every disgraceful incident of his checquered life, and gibbeted his reputation at a time when his person was the devoted victim of public justice undoubtedly, but sacrificed on the altar of duplicity and dissimulation. We shall content ourselves with mentioning no more than a few particulars, merely to distinguish him in the memory of our Readers.

Mr. Jackson was a native of Ireland, and early in life a preacher at Tavistock chapel. The emoluments of his clerical occupation not affording him sufficient subsistence, he applied his talents to literature, and was, for a considerable time, editor of a newspaper, in which situation he made himself very conspicuous: he took a decided part in the quarrel between the Duchess of Kingston and Mr. Foote, in which he is blamed for treating the comedian with too much asperity. We will not enter into the merits of this quarrel, in which we believe all parties to have been to blame, but cannot think Mr. Jackson so culpable as the person

person against whom he distinguished himself who, certainly made an attack of the most atrocious nature on the property of a woman, and met a counter check such as we ever wish to repel such attempts:

From that time, until the unfortunate catastrophe which ended his days, little occurred to interest the curiosity of the public. He was a sharer in the silly and disastrous speculation, the Royalty Theatre, and was obliged, for a considerable time, to abscond on account of the pecuniary difficulties in which it involved him.

How he came so connected as to be involved in the criminal conspiracy which brought on his untimely end, we know not. With respect to his sudden death, many different conjectures prevail; on the subject, that "poison was his timeless end" no one doubts; but whether it was administered by his own hand, or by that of some guilty associate that dreaded some disclosure, in the nature of those made by Watt at Edinburgh, is not quite so clear.

At all events, whether his days were terminated by *suicide* or *treachery*, his fate holds out a dreadful warning to those who seek to rectify internal abuse by foreign alliance. Driven by the very nature of their plans to consult with, and depend on the secrecy of the most abandoned of mankind, they find themselves betrayed where they trust, abandoned by their friends, and their memories persecuted after the rigour of law and the wiles of perfidy were exhausted. Nor let the traitors who bring about such events exult in their cunning, though such treason as theirs may be serviceable to a state, and rewarded by statesmen, the wages of corruption present but a feeble shield against the
just

just contempt, and well-founded mistrust of every man of sound principle and unsullied honour.

A full and particular Account of the Lives and Executions of John Tomlinson, Charles Porter, George Grover, and Mary Finlinson, for Robbery, and William Ball, for Forgery.

JOHN TOMLINSON was found guilty of robbing Samuel Alliston on the highway near Enfield, of a metal watch, a pair of silver buckles, and about seven shillings.

Charles Porter and George Grover, were also found guilty of robbing Mr. Jacob Crowder on the highway near Edmonton, of four guineas and a half, fourteen shillings and a silver watch.

Not content with robbing Mr. Crowder, they most inhumanely beat him with their sticks, and, as they thought, deprived him of life.

Charles Porter was born of poor but honest parents, who endeavoured to bring him up with the fear of God before his eyes. But when he arrived to years of maturity, he totally neglected the good advice given him by his parents. Beginning at sabbath-breaking, which is the first road to the gallows, he proceeded step by step, till he became capable of committing any crime whatever. He acknowledged his sentence to be just, forgave his enemies, and behaved every way becoming his unhappy situation.

George Grover who was only twenty years of age, was born of creditable parents, who being too indulgent to their only son, did not strictly look to his morals, which in the end brought on a shameful death.

When

When those unhappy convicts John Tomlinson, Charles Porter and George Grove were ordered to the bar, the Recorder thus addressed them.

" Prisoners,

" You are brought by your crimes into the most lamentable and wretched state human nature can fall into: to hear that news most painful to man; to be informed of the separation that is so soon to take place between your souls and your bodies.

" You have had fair trials, and the full benefit of the just and impartial administration of the laws subsisting in this country. By them, and by evidence, not on hearsay, not vague or uncertain, but where the witness is responsible for what he swears not only to God, but also to the laws of the kingdom; by such laws and by such evidence you were convicted, and brought into the deplorable situation you now hold, cut off from society.

" You have now, prisoner, nothing to hope but from the grace and goodness of your Sovereign, who is ever happy to extend his clemency when he can do so consistently with the interests of his subjects. But let no improper expectations from the Fountain of Royal Mercy prevent your most fervent applications to the Great Author of your Being—the Great Dispenser of Life and Death both in this world and that which is to come."

The Recorder ended his short but elegant and pathetic speech with passing sentence in the usual forms.

Mary Finlayson was also found guilty of robbing Mr. John Gibbs, on the highway of thirty-four guineas.

This wretched woman was born of poor but honest parents, who placed her in a Charity School, where she continued for some time, she then went to service, and discharged her duty to the satisfaction of her master and mistress, but being courted by a young man who professed to have a great regard for her, she, not thinking of his base design, yielded to his wishes, and, alas! when too late, repented of what she had done. She was deserted by her lover, and discharged from service! What did she do? threw herself on the town! became bold and daring, committed several robberies, but justice, though slow, yet sure, at last overtook her.

William Ball was found guilty of forging a draft of J. Whatman and Co. for the payment of five guineas, with intent to defraud George Robinson.

After going through every necessary form, just as he was on the point of receiving the money, the fraud was discovered, he was taken into custody, committed to prison, tried, and capitally convicted.

This unhappy man had been well educated, but falling into poverty, was tempted to commit the crime for which he suffered.

These unhappy wretches were ordered for execution on April 1st, 1795.

John Tomlinson owned his sentence to be just, said he died in peace with all the world, and hoped the spectators would take warning by his untimely end, and avoid the company of lewd women.

Charles Porter and George Grover behaved with the greatest penitence, acknowledged the justice of their

MARY FINLAYSON—*for Robbery.* 387

their sentence, and forgave all their enemies as they hoped to be forgiven.

Mary Finlayson desired all young women to beware of pride and the flattery of men, to be honest, diligent and sober in their services, and to take warning by her untimely end.

She behaved every way becoming her wretched situation while under sentence of death, and forgave all her enemies as she hoped to be forgiven herself.

William Ball while under sentence of death behaved with penitence and resignation.—He left a wife and three helpless infants to lament his untimely end.

The night before his execution he wrote the following letter to his wife.

“Loving Wife,

“The most glorious sight that ever was seen on earth was our blessed Redeemer Jesus Christ, suffering a painful death upon the cross, for the salvation of such miserable sinners as I am. Yet in the midst of his agony, and with a knowledge of his greatness, he cast an eye of pity on the penitent thief who was executed by his side, and comforted him with these heavenly words,

“This day shalt thou be with me in Paradise.

“O, that when I am to-morrow led to my doom, the like comforting words may, by unfeigned repentance, be administered to my down-cast soul.

“Since it is the will of the Almighty that I swallow this bitter cup of affliction, I bow with resignation to his divine pleasure.

“Comfort yourself in the pleasing hope that we shall meet again in heaven; be a father and a

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mother to my poor infants—teach them in their youth to follow the ways of righteousness and truth.

“The Lord bless and comfort you on this trying occasion, is the dying prayer of

Your unfortunate husband,

“W. BALL.”

The night before they suffered, the St. Sepulchre's bellman came into the press-yard at nine o'clock, and after ringing his bell pronounced the admonition verses, reminding them of their dreadful situation, and exhorting them to watch and pray, that they might obtain forgiveness of their sins.

On the fatal day when they were to undergo their dreadful but just sentence, the doors of their cells were unlocked, and they soon after went up to Chapel, where they joined in prayers and supplications to the Divine Majesty, and received the sacrament. They were then summoned to their fate, and came down into the press yard, where their irons being knocked off, they were haltered and brought upon the scaffold in the Old Bailey, before the Debtors' door, April 1, 1795, pursuant to sentence; when the executioner having tied them up, the ordinary prayed with them for some time and then took his leave. The caps being pulled over their eyes the Sheriff gave a signal---the platform dropt, and they were launched into eternity. After hanging the usual time, their bodies were cut down and delivered to their friends for interment. The concourse of people assembled on this melancholy occasion were very great, and appeared much affected by the dreadful scene.

Break

JAMES LYONS—*for Forgery.* 389

Break not the sabbath, nor profane
That great and holy day,
For unto shameful death you see
It first doth lead the way.

Mix not with men of wicked stamp,
Oh shun their evil deeds;
For bad example oft we find,
To shame and sorrow leads !

*Interesting Particulars of JAMES LYONS, who
was convicted of Forgery—His escape, recommit-
ment, &c.*

THE prisoner was charged with having forged several receipts, purporting to be receipts for scrip in three per Cent. Ann. for 1793, to the amount of 16,000*l.* with intent to defraud the Bank of England.

Mr. Martin, a Stock Broker, proved, that the prisoner's sister, by the name of Mr. Donaldson, and habited in man's apparel, called on him on the 4th of November at the Stock Exchange, and gave him the receipts in question to dispose of. He sold 10,000*l.* but Donaldson neglecting to meet him the next day at the Jerusalem Coffee-house, as was appointed; he did not receive the money, and the same day, in agreeing for the sale of the remaining 6000*l.* the forgery was discovered.

Mr. Alett, an Assistant to the Chief Cashier of the Bank, proved the receipts to be forgeries.

The prisoner's sister proved, that she had been induced by her brother's assuring her that there
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was nothing improper intended, and by promises he made her, to attire herself in man's apparel, and under the assumed name of Donaldson to transact the business which Mr. Martin, to whom she gave the receipts produced, which she had received from the prisoner.

She added, that she was totally ignorant of the nature and purpose of the business on which she was sent, for that her brother told her, before she went, that the reason of his sending her, and requiring her to go in man's cloaths, was, that having a large sum in script to sell for Lady Bridget Tollemache, he was well aware that if he brought it to market himself, it would be understood for whom he was selling it, and he should be prevented from getting so great a price for it as he otherwise might.

Lyons was accordingly committed to Newgate for trial, but in a short time after effected his escape. Hereupon Mr. Lavendar, the Chief Clerk at the Public-office, Bow-street, accompanied by Jealous, one of the officers belonging there, went to a house at Lomond's Pond, near the Borough, where they apprehended Mary Lyons, the sister above-mentioned.

On examination, she said, that she had no knowledge where her brother was at present; but, that, by accident, she met him on Wednesday evening, with his hair cut, seemingly with a view to disguise himself. She was carried before the Directors of the Bank, and underwent a long examination; after which she was remanded into the custody of the officers belonging to Bow-street.

Shortly after this Lyons was apprehended at Deal. The circumstances which led to the detection of Lyons were as follow: a man of shabby appearance

appearance called at the New Inn, Deal, and dined there, and after having gone out returned and supped there. He appeared particularly anxious to remain in the house unseen, which, together with his appearing to be disguised in a wig that did not fit him, led the waiter to suspect that he had done some act which had induced him to disguise his person, and to wish to sail from thence by some outward-bound vessel. The waiter the next morning sent to the Mayor in order to relate his suspicions, and in the way thither observed some bills pasted up describing the person of Lyons, and offering 200*l.* reward for apprehending him; he was accordingly secured, and Carpmeal, from whose custody he escaped, and who was at Dover in search of him, was sent for, and identified his person; but the Mayor refusing to send him to London without a warrant from one of the Bow Street Magistrates, Carpmeal came to town and obtained a warrant to bring him, with which he returned to Deal.

On the 17th of January, 1794, Lyons was indicted, for feloniously publishing and uttering several forged script receipts for 16,000*l.* stock, 13 per cent. annuities, with intent to defraud Francis Barroneau, Esq. and the governors and company of the bank of England. In this indictment there were twelve counts, to all of which he pleaded guilty. The lord chief baron, before whom he was to have been tried, admonished the prisoner in a very pathetic manner to alter his plea, it being repugnant to the wish of that and all other criminal courts in the country, as well as diametrically opposite to the intent of the law, to convict a subject upon his own confession. His lordship

ship also apprised him of his fate, in case he did not recant, and begged him not to deceive himself in apprehending, that by such a plea there was a greater probability of mercy being shewn to him. That by pleading guilty, he probably was the cause of his own death, as there might, notwithstanding the inauspicious appearance which his case might have in his (the prisoner's) mind, be some circumstances in the course of the evidence to be brought in support of the indictment, that would in point of law prove favourable to him, which, if there was, his lordship said, he should have the benefit of. On the indictment being read over a second time, and being asked whether he was guilty of the felonies therein mentioned, he answered as before; when Mr. Garrow, counsel for the prosecution, addressed him to the same purport as the lord chief baron, but with as little effect: in consequence of which, judge Grose asked the prisoner what were his reasons for pleading guilty, after he had been advised to the contrary; to which he answered, the poignancy of his own feelings, on reflecting that his sister was the principle evidence against him. Immediately on which his counsel, Messrs. Wood and Knowles, directed him to demur to the indictment, as by so doing the determination of the case would devolve to the Judges, which he complied with.

In a few days after his demurrer came on to be argued at the Old Bailey, but the decision of it was postponed to a future day.

May, 1795, Mr. Justice Grose informed the prisoner, that it was the opinion of the Judges, that the crime which he was guilty of was not that stated in the indictment, and upon these grounds

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it appeared not sufficient nor a good one. The Judges were therefore agreed, that judgment should be given against the Crown.

The remarkable Trials of William Tilley, George Hardwick, James Hayden, John Henley, Henry Delaney, William Handland, Simon Jacobs, John Solomon, John Crosswell, Jonathan Jones, and John Phillips, for Murder and Conspiracy, including an interesting Account of Idwell Idwell.

A MOST desperate attempt was made on the 11th of April, 1795, in the morning, between one and two o'clock, to rescue Idwell Idwell, a Jew, who stood charged with being concerned in a forgery on the Stamp Office, but who in the scuffle lost his life in the following manner.

Idwell, who was confined in New Prison, Clerkewell, persuaded two of the turnkeys that an aunt of his, who was very rich, then lay at the point of death, and that he had been informed, that, could she see him before she died, she would give him a thousand pounds; and, therefore, if they would let him out and accompany him to the place, he would give them fifty guineas each for their trouble, and that the matter might be effected without the knowledge of the keeper of the prison, or any other person, they having the keys of it at night, and the time required being very short. To this proposal the turnkeys agreed, and accordingly, about one o'clock in the morning, the gates were opened, and Idwell, with his iron on, was conducted in a hackney coach by one of them, armed with a blunderbuss to the place directed,

rected; which was in Artillery-lane, Bishopsgate-street, where they gained immediate admittance on ringing a bell, and, enquiring for the sick lady, were ushered up one pair of stairs. Isdwell went into the room first, on which several fellows rushed forth and attempted to keep the turnkey out, but not succeeding in that respect, they put the candles out, wrested the blunderbuss out of his hand, and discharged it at him; at this instant, it was supposed Isdwell was endeavouring to make his escape out of the door, as he received the principle part of the contents of the blunderbuss in his back, and fell dead; the turnkey also fell, one of the slugs grazed the upper part of his head; and the villains, by some means finding their mistake, though in the dark, beat him in so shocking a manner with the butt end of the blunderbuss, while he lay on the ground, as to break it to pieces, fracture his skull in two places, and bruised him dreadfully about the body; the noise which the affair occasioned, brought a number of watchmen and patrols to the house, who secured ten persons therein, mostly Jews. There is every reason to suppose that they would have completely murdered the turnkey, had not timely assistance been afforded. They were all examined on the 4th, before the above magistrate; as also the turnkeys, who related the foregoing story, and who, as well as the others, were ordered to be committed for further examination.

The plan of Isdwell's escape appeared to have been formed by the widow of the late notorious Laurence Jones, she having taken the lodgings in Artillery-lane, and though in reality aunt to Isdwell, had cohabited with him ever since her husband's death. The bed in the room where the

business

business happened, was decorated with all the paraphernalia of a sick person, a number of phials standing on an adjoining table, and to make the farce (which in the last act proved a tragedy) more perfect, the image of a woman's head, with a cap on, appeared just above the bed-cloaths.

On the 2^d it, William Tilley, George Hardwick, James Hayden, John Henley, Henry Delaney, William Handland, Simon Jacobs, John Solomon, and John Phillips, were tried at the Old Bailey, for the wilful murder of Isdwell Isdwell, by maliciously levelling and firing a blunderbuss at John Day, for the purpose of effecting the escape of the said Isdwell, he being committed on a charge for a capital offence. The trial lasted from eleven o'clock on Tuesday morning till past one on the next morning. The Jury went out about a quarter of an hour, and then returned a verdict of—*Not Guilty.*

They were all detained to take their trial for a conspiracy, to rescue the deceased out of the hands of justice.

On the 1st, of July, the Sessions commenced before Mt. Justice Buller, Mr. Justice Lawrence, the Recorder, &c. William Tilley, John Crosswell, Jonathan Jones, George Hardwick, James Hayden, John Handen, Henry Delaney, Simon Jacobs, John Solomons, John Phillips, and John Henley, were tried upon a charge of having assisted Isdwell Isdwell to escape from his Majesty's prison, he being in custody to be tried for a felony.

The above prisoners except Jonathan Jones and John Crosswell (the turnkey of Clerkenwell Bridewell) where the same who were tried for the murder of the said Isdwell Isdwell, and being ac-

quitted of that, were remanded to take their trial for his escape; the evidence therefore was principally the same as given in that case.

Day, one of the turnkeys, related the story of his and Crosswell's agreeing to let Isdwell go to Artillery-lane; that Tilly and Jacobs frequently came to the prison; and on Good Friday the former said to Isdwell, that Moses Solomons (who was confined in Bridewell upon the same charge) was to be suffered to go home and keep the pass-over with his family. This had some weight in inducing the witnesses to consent, and at night he accompanied him to Artillery-lane, in which he met Tilly, but did not go into the house where he was so dreadfully beat, and Isdwell was shot.

Moses Solomons was a servant of Isdwell, and, as on the former trial, gave a detail of the circumstances of Jonathan Jones taking the lodging in Artillery-lane; of Isdwell's being expected that night; that the trick of a sick aunt was to be played off on the turnkey; that Isdwell did come; that most of the prisoners were there; and that after the accident, he and all the rest were taken into custody.

Mrs. Cumming, who kept the house, and a little boy, her son, proved that they had seen Hardwicke, Jacobs, and Hayden, come to Mrs. Isdwell.

Ray, Spencer, and Brummell were the persons who apprehended all the prisoners but Tilly, Jones and Crosswell, in and about the house; and they were all particularly sworn to by Day and Moses Solomons, as being in some way concerned, except Delaney, who was no otherwise identified than as being taken in the house.

In their defence, Tilly said, he was employed
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by the Ildwells as their attorney; and as the two brothers were confined in two different prisons, the going backwards and forwards from one to the other occasioned his seeing them oftner than he otherwise should. He denied that he had ever made use of the expression about Moses going out, as sworn to by Mr. Day, or that he had the smallest knowledge of any intention of an escape.

John Grosswell left his defence to the counsel.

Jonathan Jones did not deny that he had taken the lodging for Mrs. Ildwell, but he had not done it secretly; for, on her husband's being taken up, she sent for him to come to town from Gosport; he did so; and as she was obliged to leave her house in St. Mary Axe, he had taken this lodging for her; and in so doing thought he did no more than his duty for a piece. Before the accident happened, he had returned into the country; all of which was admitted to be true by the witness Solomons.

George Hardwick stated himself to have been employed as a porter to assist in carrying the goods to the lodging; and not having been paid the whole of his demand, had gone that night, and was waiting to get the remainder.

Hayden said, his wife washed for Mrs. Ildwell; and that she being lame, he had gone to Mrs. Ildwell's with some things that night, and was staying for some money.

John Hayden had been out drinking, not being able to work from its being Good Friday, and was so much intoxicated, that he could not say how he came into the house.

Henry Delaney said, he was passing by the door just after the accident, that he stopped to see what was

was the matter, that he was pushed in by the mob, and had not been in the house before.

Simon Jacobs described himself to be a brother-in-law to Isdwell, that he was constantly going backwards and forwards to him; and that by his desire he passed most of his time at their lodgings. He had no doubt but Day was the man who shot his brother. He then entered into a long and vehement attack upon the keepers of Clerkenwell, both for their conduct to Isdwell and to himself, after he was taken; drawing a conclusion with respect to the former, that the governor, deputy governor and turnkeys were the principals in the escape; and that he and his fellow prisoners, even had they intended to assist, could only be accomplices, and that it could not be just to punish the accomplices before the principals; nay more, he insisted the escape was made the moment he was out of prison, and consequently long before they could be concerned with it.

John Phillips and John Solomons related the same story; namely, that upon a promise of a reward of 200l. they were endeavouring to get the dies from Mrs. Isdwell, by which the stamps had been forged; and upon their making her some promises, she had appointed them to come that evening.

John Henley said, he had called upon Mrs. Isdwell that night respecting a watch he had bought, and which had been stopped.

A great number of very respectable witnesses were then called to their different characters.

Mr. Justice Buller summed up the evidence with much attention and perspicuity; after which the Jury went out for near half an hour, and then returned

returned a verdict of *guilty* against nine, *acquitting* Jonathan Jones and Henry Delaney.

The punishment attending the crime is a limited transportation.

Account of the Execution of EDWARD COOKE
and HENRY PARISH, *for Mutiny, at* Brigh-
ton.

FROM the hour of four o'clock in the morn-
ning of June 12, 1795, the whole line of
encampment were ordered to hold themselves in
readiness: at five, however, in the evening the
officers were given to understand, that the execu-
tion of those two unfortunate men *Edward Cooke*
and *Henry Parish*, was countermanded for that
day.

The cause of this short respite was attributed to
the absence of the Prince of Wales's 10th regiment
of light dragoons, which did not march into the
town till nine o'clock this morning, and of course
could not pitch their tents till late in the evening.

When this regiment were seen on their march
to their station, all hopes of an expected reprieve
seemed entirely to vanish: the most respectable
people, however, of the place, took this oppor-
tunity of one day's delay to repeat their petitions
in favour of the two men; but all proved inef-
fectual; for early on the 13th the Oxfordshire
Militia (the regiment to which the mutineers
belonged) began their march from the bar-
racks at Blatchington to this place, to be made
awful spectators of their unhappy comrade's pu-
nishment, and to be their executioners! At four
o'clock the whole line were ordered to accompany
them

them from the ground to Colestoun Bottom, at which place they arrived about five. The six men (for there were 13 mutineers) that were sentenced to be flogged proceeded afterwards, in a covered waggon guarded by a strong escort, which was composed of select men, picked from every regiment in the line: the two condemned to be shot followed in the rear in an open cart, attended by the Rev. Mr. Dring, and guarded by a second escort, under the command of Captain Leigh, of the 10th regiment of light dragoons, and one of the captains belonging to the Lancashire Fencibles. When they arrived, however, at the winding road which leads to Colestoun Vale, and which is surrounded by an eminence, both the escorts were commanded to halt. The six men sentenced to be flogged were then taken from the covered waggon, and having been marched through the whole line, who were under arms to receive them, they were brought back to a whipping-post which were fixed in the centre of the different regiments. The drummers selected to flog them were men belonging to their own corps. Three of them received three hundred lashes each; this was all the number they then received, as, from their long durance, and consequent weakness, the surgeon of the regiment pronounced that they could suffer no more. The fourth was then stripped, and, after being tied to the flogging-post, was reprieved; as were his two other comrades.

This part of the distressing ceremony being gone through, the two unfortunate men condemned to be shot were taken from the cart, and marched, as the others had been, up the line, with this difference only, of being conducted also through part of the outer one, which was composed of the prince's

prince's regiment, the Lancashire and Cinque Port Fencibles; they were then marched to the front of the Oxfordshire Militia, where their coffins stood to receive their bodies; the artillery being planted on the right, with lighted matches, in the rear of the Oxfordshire, to prevent any mutiny; if attempted, and the whole heighth commanded by 2000 cavalry.

Cooke and Parish being conducted to the fatal spot, exchanged a few words with the clergyman, and then kneeled with the greatest composure and firmness on their coffins: the first time, however, they kneeled, it was done the wrong way; but being placed in a proper situation, they put the caps over their eyes, and received their death from a delinquent platoon of twelve of their own regiment, at the distance only of six paces. One of them was not quite dead when he fell, and was therefore shot through the head with a pistol. This, however, was not the last awful ceremony the line had to experience; for, to conclude the dreadful tragedy, every regiment on the ground was ordered to file off past the bodies before they were suffered to be inclosed in their coffins. The whole scene was impressively awful beyond any spectacle of the kind ever exhibited.

No disturbance whatever resulted from the above melancholy affair: every thing was conducted with the greatest solemnity and order: the awe and silence that reigned on the occasion, infused a terror, mingled with an equal degree of pity, that was distressing beyond conception. The Oxfordshire Militia naturally experienced more afflicting sensations than any other regiment on the ground.

Cooke and parish were both young men, and
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behaved with uncommon firmness and resignation: they marched through the lines with a steady step, and regarded their coffins with an undaunted eye. The former was called Captain Cooke, from his having headed the Oxfordshire soldiers, at the fatal period of the mutiny.

The general officers who commanded on this melancholy occasion, were Lieutenant General Lascelles, and Major Generals Hulse and Jones.

Interesting Particulars of the Murder of Mr. ERRINGTON, by Miss BROADRIC, and her Trial for the same.

MISS ANN BROADRIC, who assassinated Mr. Errington, on Friday the 15th of May, 1795, at his seat near Grays, in the county of Essex, is a young lady of considerable accomplishments, a fine figure, and superior to the generality of her sex in personal charms. Three or four years after Mr. E's well known divorce from his former wife, he addressed Miss Broadric with the utmost solicitude; but it is not true that he had seduced her, as she had previously lived with a Captain Robinson. He lived with her nearly three years, with every appearance of domestic comfort! Mr. E. however, about twelve months ago, saw another beautiful object, possessed of a large fortune, to whom he transferred his affections, and, after a little time, he gave her his hand. On this he settled, what he deemed a suitable provision on Miss Broadric, stated to her explicitly the variation of his sentiments, and added, that he never could see her more! After the first agonies of her grief, she sent the most affectionate remonstrance

remonstrance on his conduct, and requested, as the last boon, that he would grant her one interview. This was refused; she still persisted, by letters, to move him to grant her this last request; but finding him inexorable, she wrote him, "That if nothing could induce him to do her this act of common justice, he must prepare himself for the fatal alternative, as she was determined that *he should not long survive his infidelity!*"

Receiving no answer whatever, after a lapse of a month, she dressed herself elegantly, very soon, on the Friday morning, went to the Three Nuns Inn, in Whitechapel, and took a place in the Southend coach, which passes very near Mr. E's house; she got out at the avenue gate, and, in her way up, was recognized by Mr. E. who told his wife, that tormenting woman, Broadric was a coming; but that he should soon get rid of her, if she, Mrs. E. would retire a few minutes: Mrs. E. however, did not consent to this, but prevailed upon her husband to go up stairs into the drawing-room, and leave the interview to her management. Miss B. being shewn in, asked for Mr. E.; she was told he was not at home: "I am not to be so satisfied, Madam, replied Miss B. "I know the ways of this house unfortunately too well, and therefore, with your leave, I'll search for him!" on which she rushed up into the drawing-room, and finding him there, she drew a small brass barrelled pistol, with a new hagged flint from her pocket, and presenting it at his left side, in a direction for his heart, exclaimed, "I am come, Errington, to perform my dreadful promise!" and instantly pulled the trigger: surprised at his not falling, she said, "Good God, I fear I have

“not dispatched you! but come deliver me into the hands of justice!” Mrs. E. bursting into the room, and seeing her husband bleeding, fainted away. Mr. E. now remonstrated with her, and asked her, “if he had ever deserved this at her hands, after the care he had taken to settle her so comfortable in the world?” To this she gave no other answer, than by a melancholy shake of her head. Mr. Miller, a neighbouring surgeon, being called in, found that the ball had penetrated at the lowest rib, cut three ribs asunder, and then passed round the back, and lodged under the shoulder bone, from whence every painful effort was made to extract it, but in vain; Mr. Button, a magistrate, now came, who took the examination of Mr. E. after his wound was dressed. He asked Miss Broadric what could induce her to commit such an act of extreme violence? her answer was, “That she was determined that neither Mr. E. nor herself should long outlive her lost peace of mind!!!” Mr. E. entreated of the magistrate not to detain her in custody, but let her depart, as he was sure he should do well; but this request Miss B. refused to accept, and the magistrate to grant. Her commitment being made out, she was conveyed that evening to Chelmsford gaol, where she remained tolerably composed till she heard of Mr. E.’s death, when she burst into a flood of tears, and lamented bitterly that she had been the cause of his death. The Coroner’s Inquest sat on the body on Tuesday, the 19th of May, and brought in their verdict, *Willful Murder, by the hands of Ann Broadric!* Mr. E. was in the 39th year of his age, and possessed a very large landed and personal property.

A Letter

A Letter from Miss Ann Broadric to the late Mr. Errington, of the Temple.

“ Dear E. Sept. 11, 1794.

“ THAT you have betrayed and abandoned the most tender and affectionate heart that ever warmed a human bosom, cannot be denied by any person who is in the least acquainted with me. Wretched and miserable as I have been since you left me, there is still a method remaining that would suspend, for a time, the melancholy sufferings and distress which I labour under at this moment; and still, inhuman as thou art, I am half persuaded, when I tell you the power is in your hands, that you will not withhold it from me.— What I allude to is, the permission of seeing you once more, and perhaps, for the last time. If you consider that the request comes from a woman you once flattered into a belief of her being the sole possessor of your love, you may not perhaps think it unreasonable. Recollect, however, E. ere you send a refusal, that the roaring of the tempest, and the lightnings from heaven, are not more terrible than the rage and vengeance of a disappointed woman. Hitherto you can only answer for the weakness and frailty of my nature. There is a further knowledge of my disposition you must have if you do not grant me the favour demanded. I wish it to come voluntarily from yourself, or else I will force it from you. Believe me in that case I would seek you in the farthest corner of the globe, rush into your presence, and with the same rapture that nerved the arm of Charlotte Cordet, when she assassinated the monster Marrat, would I put an end to the existence of a man, who is the

author

author of all the agonies and care that at present oppress the heart of;

ANN BROADRIC.

P. S. This comes by William (the servant you have discarded on my account) who has orders to wait for your answer."

On Friday, July 17th, at six o'clock, Ann Broadric was conveyed from the gaol, in a chaise, to a room in the shire-hall; and about ten minutes before the lord chief baron Macdonald, the sheriffs, and magistrates appeared on the bench, she was conveyed into the bail dock in the criminal court, attended by three ladies and her apothecary; she was dressed in mourning, without powder; and after the first perturbations were over, occasioned by the concourse of surrounding spectators, she sat down on a chair prepared for her, and was tolerably composed, except at intervals, when she discovered violent agitations, as her mind became affected by various objects and circumstances. When the indictment was reading, she paid a marked attention to it; and on the words, "that on the right breast of the said G. Errington she did wilfully and feloniously inflict one mortal wound, &c. she exclaimed, "Oh my great God!" and burst into a torrent of tears.

The prosecution for the crown was opened by Mr. Garrow, who demonstrated the painful execution of this office by the humane and affecting exordium with which he addressed the Jury preparatory to the statement of the evidence he was instructed to adduce. He thought it his duty, however, to inform them what his learned brethren, who had the conduct of the defence of the unhappy female at the bar, were precluded by the rules

rules of law from stating, viz. that the defence intended to be set up was unquestionably of great importance, requiring their most serious deliberation; it was no less than the plea of lunacy; and therefore it became their peculiar duty, as jurymen, before they visited a deed with death, to be perfectly satisfied in their own minds that the prisoner committing it was in the possession of her reasoning faculties; otherwise it must have been the insanity, and not the moral agent, which perpetrated the bloody act.

George Bailey sworn--said he was servant to the deceased Mr. Errington; saw Miss Broadric come into the kitchen on the 13th of May last; did not know her: she asked whether Mr. E. was at home? He answered, yes; and desired the gardener to shew the lady into the parlour, while he put on his shoes, and went up to inform his master, then in the drawing-room; that he saw Mrs. E. and the lady meet at the parlour door. [Here Miss Broadric shook her head and groaned deeply.] He perceived that the ladies were strangers to each other. Miss B. asked Mrs. E. if Mr. E. was to be spoken with? She answered, "Yes, ma'am; pray walk up stairs." His mistress went up first; he returned to the kitchen, and in the space of a minute he heard the report of a pistol, the shrieks of his mistress, and also his master cry out and groan! He ran up stairs, and passing some workmen, desired them to go with him, as something dreadful had happened: on entering the drawing-room, he beheld his master all over blood, and leaning, with his left hand on his right breast, who exclaimed, "Oh God! I am shot! I am murdered!" Mrs. E. instantly ordered him to take that woman into custody, for she had murdered her husband;

husband; on this Miss B. threw a pistol out of her left hand on the carpet, and laughed, crying out, "Here, take me! hang me, and do what you will with me; I don't care now!" He told the workmen to take care of the prisoner till he came back; he then ran to the stable, took a horse, and rode for Mr. Childers, the surgeon, about a mile off; desired him to mount the horse, and make haste to his master who was shot; he followed soon after with two constables, when he found the doctor and Mrs. E. with his master. Miss B. he saw afterwards in the parlour below: that on seeing her right hand in her pocket, he told the constable he thought she had another pistol in her pocket; that the constable went behind her, and took hold of both her arms, when she said, "What are you going to do?" He replied, "Not to hurt you in the least, ma'am, but it is our duty to put these handcuffs upon you;" which they did. She rejoined, "Let me put my hand in my pocket first." The constable answered, "No!" She said, "I want to give you something." "Some other time," replied the other. The witness then asked her whether she had not another pistol. She answered, "I have!" and in a lower tone of voice said to him, "This I intended for myself!" He then sent for a woman servant, and desired her to search her; which she did, and immediately drew another pistol from her pocket. [The pistols were here produced, and sworn to be the same.]

John Eves lived at the Bull Inn, Whitechapel. Miss B. came to him about the 11th of May, and gave him a letter to carry to Mr. E. he delivered it to him on the 13th, at Grays, who asked him whether it did not come from Miss B.? He replied,

plied, it did. Mr. E. then bade him take it back; as he should see her at the fair; he took the letter to her again unopened the next day.

“ Dear Sir,

“ As I intend going to South-end on Wednesday, I wish to speak a few words to you on money-affairs, as I have received no answer to the letter from Mr. — [Mr. E’s Solicitor] I fear you are deceived in the person you entrust. I wish you would meet me at the Dog and Patridge, at Stifford, as I have not had the money you promised me I should receive.”

Here the evidence for the Crown was closed; and several persons were called in, who proved the prisoner’s insanity.

The Lord Chief Baron, before he summed up the evidence, called the attention of the Jury to the particular plea of insanity, on which the defence of the prisoner had been rested; no denial having been set up against the perpetration of the deed, of which, indeed, there had been given the fullest and clearest evidence. The law certainly required that the will should accompany the act, to constitute a felonious murder. The defence in the present case was, that the prisoner was incapable of lending her will to the perpetration of the crime with which she stands charged. His lordship here entered an illustrative detail in support of this general proposition. He said, the unhappy woman laughing in the midst of an act of horror, bore a strong appearance of mental derangement; indeed this was often made a rest of madness in the finest wrought theatrical representations. The letter which had been given to the magistrate, and the receipt of which he had so humanely and wisely expostulated against, did not convey any idea of

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infanity ; though the chain of such very tumultuous circumstances for so long an antecedent period as six months, certainly did carry with them strong symptoms that the person acting under them were unlike to rational persons. The family derangements which had been stated were not of themselves sufficient evidence ; but were certainly a strong ground-work, on which to build other circumstances more immediately applicable to the individual herself.

On the whole, if the Jury thought the latent seeds of derangement, after a convulsive struggle of six months, had been called forth on this horrible occasion, so as to overwhelm the senses of the unhappy prisoner, they were bound in conscience to acquit her. If, on the other hand, they believed that it was the preparatory pangs of a mind intent on gratifying its revenge by the death of its object, they must find her guilty ; but they scarcely need be told, that, should a doubt remain on their minds, common charity required that the balance should turn in the prisoner's favour.

The Jury consulted about two minutes, and then gave their verdict—Not Guilty—to the general satisfaction of the whole Court.

The Judges, on leaving the town, after the assizes were over, directed that Miss B. should be examined before two magistrates, that she might be safely removed, under their order, to the place of her settlement, with a particular recommendation annexed thereto, that she might be taken all possible care of.

LEWIS AVERSHAW, &c.—*for Murder.* 411

The remarkable Trials, Behaviour, &c. of LEWIS AVERSHAW, JAMES LITTLE and SA-RAH KING, for Murder, with an Account of their Execution at Kennington Common.

LEWIS AVERSHAW, alias Abershaw, was tried before Mr. Baron Perryn, at Croydon, July 30, 1795.

The prisoner was charged on two indictments: one for having, at the Three Brewers Public-house, Southwark, feloniously shot at and murdered D. Price, an Officer belonging to the Police-Office, held at Union-hall, in the Borough. The other indictment was for having, at the same time and place, fired a pistol at Bernard Turner, another Officer attached to the Office at Union-hall, with an intent to murder him.

Mr. Garrow, the leading Counsel for the prosecution, opened his case to the Court and Jury, by stating, that the prisoner at the bar, being a person of very ill fame, had been suspected of having perpetrated a number of felonies. The Magistrates of the Police-Office in the Borough of Southwark, having received information against the prisoner, sent, as was their duty, an order for his apprehension. To execute the warrant, the deceased Price, and another Officer, went to the Three Brewers, a public-house, where they understood he then was drinking, in company with some other persons. At the entrance of a parlour in the house, the prisoner appeared in a posture of intending to resist. Holding a loaded pistol in each of his hands, he with threats and imprecations desired the officers to stand off, as he would otherwise fire at them. The officers, without being intimidated by those menaces, attempted to rush in and seize him, on which the prisoner dis-

charged both the pistols at the same instant of time, lodging the contents of one in the body of David Price, and with the other wounded Turner very severely in the head. Price after languishing a few hours, died of the wound. Mr. Garrow was very pathetic and animated in his description of the several circumstances composing the shocking act of barbarity. To prove it, he would call four witnesses, whose evidence, he said, would be but too clear to establish the prisoner's guilt. The Jury would be enabled to judge from the facts to be submitted to them, and would undoubtedly decide on the issue joined between the Crown and the prisoner at the bar. The learned Counsel accordingly called Turner, the landlord of the house, a surgeon, and a fourth witness; but as the substance of their evidence is comprised in Mr. G.'s opening of the indictment, it would be superfluous to repeat it. Turner said positively, he saw the prisoner discharge the pistols, from one of which he himself received his wound, and the contents of the other were lodged in the body of Price, who died very shortly after. The surgeon proved that the death was in consequence of the wound.

Mr. Knowles and Mr. Best were Counsel for the prisoner, but the weight of evidence against him was too strong to be combated by any exertions.

Mr. Baron Perryn summed up the evidence, on every essential part of which his lordship made several apposite, pointed, and accurate observations. The Counsel for the prisoner, he remarked to the Jury, had principally rested his defence on the circumstance of several other persons being present when the pistols were discharged, by some of which they contended the death wound might possibly have been inflicted. But, with respect to

that

that part of the transaction, it would be proper for the Jury to observe, that the witness, Turner, had sworn positively to his having seen the prisoner in the act of discharging the contents of the pistol.

The Jury, after a consultation of about three minutes, pronounced the dreadful verdict of—*Guilty*.

Through a flaw in the indictment for the murder, an objection was taken by Counsel. This was argued nearly two hours, when Mr. Baron Perryn intimating a wish to take the opinion of the Twelve Judges of England, the Counsel for the prosecution, waving the point for the present, insisted on the prisoner's being tried on the second indictment, for feloniously shooting at Barnaby Windsor, which the Learned Counsel said, would occupy no great portion of time, as it could be sufficiently supported by the testimony of a single witness. He was accordingly tried and found guilty on a second capital indictment.

The prisoner, who, contrary to general expectation, had in a great measure hitherto refrained from his usual audacity, began with unparalleled insolence of expression and gesture, to ask his lordship if he "was to be murdered by the evidence of one witness?" several times repeating the question, till the Jury returned him Guilty.

When Mr. Baron Perryn put on the judicial cap, the prisoner, unconscious, and regardless of his dreadful situation, at the same time put on his hat, observing the Judge with contemptuous looks while he was passing the sentence. When the constables were removing him from the dock to a coach, he continued to vent torrents of abuse against the Judge and Jury, whom he charged with, as he styled it, his murder. As his desperate disposition was well known, he was, to prevent resistance, hand-cuffed, and his thighs and arms
also

also bound strongly together, in which situation he was conveyed back to prison. So callous was this ruffian to every degree of feeling, that on his way to be tried, as he was passing near the usual place of execution on Kennington Common, he put his head out of the coach window, and, with all the *sang froid* imaginable, asked some of those who guarded him, if they did not think he would be *twisted* on that pretty spot by Saturday?

James Little was also tried at Croydon, before the Lord Chief Baron, for a wanton and barbarous murder committed near Richmond, on the bodies of Mr. Macevoy and Mrs. King.

Mr. Fielding, for the Crown, stated, that the disclosure of the crime imputed to the prisoner at the bar, was a very fortunate circumstance in a number of respects; but in none more so than that a person capable of such atrocity was, in consequence of the discovery, removed from being near the sacred and beloved person of his Majesty. The prisoner had an employment at the Laboratory of the Palace at Kew, which had afforded him an opportunity of being more near his Majesty than was consistent with the safety of a life so dear and important to the nation as that of the Sovereign.

The deceased Mr. Macevoy and Mrs. King were persons of very advanced age, and had, for several years, lived together between Kew and Richmond. The prisoner, by some means, got acquainted with Mr. Macevoy, and was in the habits of visiting him and Mrs. King, though contrary to the wishes of the latter, who, on a variety of occasions, expressed a fixed dislike of the prisoner, dissuading her friend from having any manner of intimacy or connection with him whatever.

Those ancient persons lived together, and were supposed

supposed to possess a very large property. The prisoner, very probably, through a belief of their having a sum of ready money, devised the perpetration of his infernal crime. Coming to their house, and procuring admittance, he first murdered the old man, and then attacked the woman, whose throat he cut across; and then supposing her dead, began to rifle and pillage the house.

Some faint resistance, and feeble screams, on the part of Mrs. K. alarming the neighbours, some of them forced their way into the house, and there witnessed the shocking scene just perpetrated—Mr. M. was quite dead, but Mrs. K. had still some remains of life, and gave some description of the transaction, but died very shortly after. The prisoner was instantly seized, and committed to prison. By a due course of law he was then brought before the Court and Jury, at their hands to receive an acquittal or condemnation. But the body of evidence to be produced against him was, the Learned Counsel observed, so clear and cogent, that he was persuaded no manner of doubt could remain of his guilt. To prove those facts, Mr. Fielding called on some witnesses, among whom was another labourer at his Majesty's Laboratory at Kew, whose testimony in the clearest manner established the prisoner's guilt. The diabolical transaction brought home to him was of so horrid and black a nature, as to render any high coloured description of its enormity too shocking to the humanity of an English Public.

After a short charge by the Lord Chief Baron, the Jury found the prisoner Guilty.

Sarah King was indicted for the wilful murder of her new born bastard child, in the parish of Nutfield in the County of Surry.

Mr.

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Mr. Silveffer, in his opinion, stated the circumstances at large.

She was found Guilty, and immediately received sentence of Death.

Perhaps there never was a greater instance of the depravity of the human heart, than in the conduct of Avershaw. After receiving sentence of death, he was conducted back to prison, where, having got some black cherries, he amused himself with painting on the white walls of the room in which he was confined, various sketches of robberies which he had committed; one representing him running up to the horse's heads of a post-chaise, presenting a pistol at the driver, and the words, "D---n your eyes stop," issuing out of his mouth; another where he was firing into the chaise; a third, where the parties had quitted the carriage, and several others, in which he was described in the act of taking the money from the passengers, being fired at, where his companion was shot dead, &c.

On Monday, August 3, about ten o'clock, Jeremiah Avershaw, John Little, and Sarah King, were brought from the New Gaol, in the Borough, attended by the Sheriffs and a numerous body of Police Officers, and conveyed to Kennington Common. Little and the woman conducted themselves with a propriety becoming their unhappy situation, but Avershaw persevered in his audacity to the last. He appeared entirely unconcerned, had a flower in his mouth, his bosom was thrown open, and he kept up an incessant conversation with the persons who rode beside the cart; frequently laughing and nodding to others of his acquaintance whom he perceived in the crowd, which was immense. 5 JA 55

A CORRECT INDEX :

Including A List of all the capital *Convictions* at the *Old Bailey*, &c. since the Commencement of the present Century; which will be of the highest Use to refer to on many Occasions:—together with the *Volumes* and *Pages* in which they occur in this Work.

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||| Though the Printer, as appears from the Supplement's Beginning with Page 17, instead of 1, intended the Index to precede Vol. VI. we advise the Binder to put it at the End of that Volume.

The old Titles to Vol. II. III. IV. and V. in Numbers 11, 21, 31, and 41, are to be cancelled, and the Titles given with the last Number put in their stead.

